Title 10
SOLID WASTE HANDLING*

* **Note to Title 10.** For administrative rules relevant to this title, look for a following "R" title of the same number.

Chapter 10.04
GENERAL PROVISIONS

10.04.010 Citation.

This title may be cited and referred to, and shall be known as, the "King County Solid Waste Regulations."
(R&R 8 Part 1 §1, 12-19-86)

10.04.020 Purpose and policy.

A. Authority is established under RCW Chapter 70.05 and WAC Chapter 173-304 for solid waste and RCW Chapter 70.93 and WAC Chapter 173-310 for litter control. This title is enacted as an exercise of the board of health powers of King County to protect and preserve the public peace, health, safety and welfare. Its provisions shall be liberally construed for the accomplishment of these purposes. This title governs solid waste handling, storage, collection, transportation, treatment, utilization, processing and final disposal of all solid waste generated within King County, including issuance of permits and enforcement.

B. It is expressly the purpose of this title to provide for and promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefitted by the terms of this title.

C. It is the specific intent of this title to place the obligation of complying with its requirements upon waste generators, haulers and/or operators of disposal sites, and no provision of nor term used in this title is intended to impose any duty whatsoever upon King County or any of its officers or employees, for whom the implementation or enforcement of this title shall be discretionary and not mandatory.

D. Nothing contained in this title is intended to be nor shall be construed to create or form the basis for any liability on the part of King County, or its officers, employees or agents, for any injury or damage resulting from the failure of any person subject to this title to comply with this title, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this title on the part of King County by its officers, employees or agents.
(R&R 8 Part 1 §2, 12-19-86)

10.04.030 Applicability.

This title applies to solid waste as that term is defined in Section 10.08.420. This title shall not apply to the following solid wastes:

A. Overburden from mining operations intended for return to the mine;

B. Liquid wastes whose discharge or potential discharge is regulated under federal, state or local water pollution permits;

C. Dangerous wastes as defined by RCW Chapter 70.105 and WAC Chapter 173-303;

D. Woodwaste used for ornamental mulch, animal bedding and plant bedding, or road building purposes;

E. Agricultural wastes, limited to manures and crop residues, returned to the soils at agronomic rates;
centralized facilities used for the treatment of agricultural wastes shall be subject to this title;

F. Clean soils and clean dredge spoils as defined in Section 10.08.065 or as otherwise regulated by Section 404 of the Federal Clean Water Act (PL 95-217);

G. Septage taken to a sewage treatment plan permitted under RCW Chapter 90.48;

H. Radioactive wastes, defined by WAC Chapters 402-12 and 402-19; and

I. Wood debris resulting from the harvesting of timber and whose disposal is permitted under RCW Chapter 76.04, the State Forest Practices Act.

(R&R 81 §1, 3-23-92: R&R 8 Part 1 §3, 12-19-86)

Chapter 10.08
DEFINITIONS

10.08.005 Applicability--State definitions adopted.

Except as otherwise specifically provided in this chapter, the "definitions" set forth in WAC 173-304 and WAC 173-303 are hereby incorporated by reference.

(R&R 8 Part 2 §§(1-6)(part), 12-19-86)

10.08.010 Abandoned landfills.

"Abandoned landfills" means those sites completed prior to the requirement of obtaining a closure permit.

(R&R 8 Part 2 §1(A), 12-19-86)

10.08.015 Active area.

"Active area" means that portion of a facility where solid waste recycling, reuse, treatment, storage, or disposal operations are being, are proposed to be, or have been conducted. Buffer zones shall not be considered part of the active area of a facility.

(R&R 8 Part 2 §1(B), 12-19-86)

10.08.016 Acutely hazardous waste.

"Acutely hazardous waste" means dangerous waste sources (listed in WAC

173-303-9904) F020, F021, F022, F023, F026 or F027, and discarded chemical products (listed in WAC 173-303-9903) that are identified with a dangerous waste number beginning with a "P" or that show an "X" or "A" in the reason for designation column.
(R&R 81 §2, 3-23-92: R&R 8 (part), 12-19-86)

10.08.017 Adequately wetted.

"Adequately wetted" means sufficiently mixed, saturated or coated with water or an aqueous solution to prevent emissions.
(R&R 81 §3, 3-23-92: R&R 8 (part), 12-19-86)

10.08.020 Agricultural wastes.

"Agricultural wastes" means wastes on farms resulting from the production of agricultural products, including but not limited to manures, and carcasses of dead animals weighing in excess of fifteen (15) pounds.
(R&R 8 Part 2 §1(C), 12-19-86)

10.08.025 Agronomic rate.

"Agronomic rate" means the rate of application of biosolids, manures or crop residues such that the available nitrogen is, at all times, less than or equal to the nitrogen needs of the crop under cultivation.
(R&R 81 §4, 3-23-92: R&R 8 Part 2 §1(D), 12-19-86)

10.08.030 Air quality standard.

"Air quality standard" means a standard set for maximum allowable contamination in ambient air as set forth in WAC Chapter 173-400, general regulations for air pollution sources.
(R&R 8 Part 2 §1(E), 12-19-86)

10.08.032 Approved.

"Approved" means approved in writing by the health officer.
(R&R 82 §1, 6-12-92)

10.08.035 Aquifer.

"Aquifer" means a geologic formation, group of formations, or part of a formation capable of yielding a significant amount of groundwater to wells or springs.
(R&R 8 Part 2 §1(F), 12-19-86)

10.08.037 Asbestos.

"Asbestos" means the asbestiform varieties of actinolite, amosite (cummingtonite-grunerite), tremolite, chrysolite (serpentinite), crocidolite (riebeckite) or anthophyllite.
(R&R 81 §5, 3-23-92: R&R 8 (part), 12-19-86)

10.08.038 Asbestos-containing material.

"Asbestos-containing material" means any material containing at least one percent (1%) asbestos as determined by polarized light microscopy using the Interim Method of the Determination of Asbestos in Bulk Samples contained in Appendix A of subpart F in 40 CFR Part 763. This term does not include asbestos-containing flooring and roofing materials, regardless of asbestos content, when the following conditions are met:

A. The asbestos-containing flooring or roofing material is in good condition and is not peeling, cracking or crumbling;

B. The binder is petroleum based, the asbestos fibers are suspended in that base, and individual fibers are still encapsulated;

C. The asbestos-containing flooring or roofing material does not have a friable asbestos backing or friable asbestos layers in between layers of petroleum based binder; and

D. The building, vessel or structure containing the asbestos-containing flooring or roofing material, regardless of the condition of the material, will not be demolished by burning.

(R&R 81 §6, 3-23-92: R&R 8 (part), 12-19-86)

10.08.040 Asbestos-containing waste material.

"Asbestos-containing waste material" means any waste that contains asbestos. This term includes asbestos waste from control devices, materials used to enclose the work area during an asbestos project, asbestos-containing materials collected for disposal, or asbestos-contaminated waste, debris, containers, bags, protective clothing or HEPA filters. Asbestos-containing flooring or roofing materials meeting the conditions specified in Section 10.08.038 of this chapter shall not be considered asbestos-containing waste material.

(R&R 81 §7, 3-23-92: R&R 8 Part 2 §1(H), 12-19-86)

10.08.045 Ashes.

"Ashes" means the residue including any air pollution control equipment flue dusts from combustion or incineration of material including solid wastes.

(R&R 8 Part 2 §1(G), 12-19-86)

10.08.050 Balefill.

"Balefill" means a landfill which uses compacted bales of solid waste to form discrete lifts as the landfill is filled.

(R&R 8 Part 2 §1(I), 12-19-86)

10.08.051 Biomedical waste.

"Biomedical waste" means:

A. Cultures and stocks of etiologic agents and associated biologicals, including, without limitation, specimen cultures, cultures and stocks of etiologic agents, wastes from production of biologicals and serums, and discarded live and attenuated vaccines;

B. Laboratory waste which has come into contact with cultures and stocks of etiologic agents or blood specimens. Such waste includes but is not limited to: culture dishes; blood specimen tubes; devices used to transfer, inoculate and mix cultures; and paper and cloth which has come into contact with cultures and stocks of etiologic agents;

C. Sharps, associated with those instruments that are used to puncture, cut or scrape body parts that may, as a waste, cause punctures or cuts to solid waste handlers and/or the public.

Such waste includes but is not limited to hypodermic needles, syringes with needles attached, lancets, dental scalers and scalpel blades;

D. Pathological waste, which means most human tissues and anatomical parts which emanate from surgery, obstetrical procedures, autopsy and the laboratory. Pathological waste does not include extracted teeth, hair, toenails or fingernails;

E. Human body fluids, including but not limited to blood and blood products, serum and plasma, cerebrospinal fluid, synovial fluid, pleural fluid, peritoneal fluid, pericardial fluid, and amniotic fluid shall be considered biomedical waste when they are:

1. In free flowing form, or
2. In fluid or absorbed form in any amount and not packaged in a leakproof container;

F. Wastes that have come into contact with human body substances infected with anthrax, smallpox, rabies, plague and viral hemorrhagic fevers such as Lassa fever and Ebole-Marburg virus disease;

G. As determined by and solely at the discretion of the biomedical waste generator's infection control staff/committee, wastes that have come into contact with human body substances or other sources which may contain pathogenic microbial agents or other biologically active materials in sufficient concentrations that exposure to the waste directly or indirectly creates a significant risk of disease; or

H. Animal carcasses exposed to human pathogens in research, their bedding, and other waste from such animals.

(R&R 81 §§8, 30 (part), 3-23-92: R&R 40 (part), 12-15-88: R&R 39 §5, 10-7-88: R&R 8 (part), 12-19-86)

10.08.052 Biomedical waste collection/transportation vehicle.

"Biomedical waste collection/transportation vehicle" means a collection/transportation vehicle used for the collection and transportation of biomedical waste over the highways.

(R&R 81 §§9, 30 (part), 3-23-92: R&R 40 (part), 12-15-88: R&R 39 §6, 10-7-88: R&R 8 (part), 12-19-86)

10.08.053 Biomedical waste generator.

"Biomedical waste generator" means any producer of biomedical waste to include without limitation the following categories: general acute care hospitals, skilled nursing facility or convalescent hospitals, intermediate care facilities, in-patient care facilities for the developmentally disabled, chronic dialysis clinics, community clinics, health maintenance organizations, surgical clinics, urgent care clinics, acute psychiatric hospitals, laboratories, medical buildings, physicians' offices and clinics, veterinary offices and clinics, dental offices and clinics, funeral homes or other similar facilities. "Biomedical waste generator" does not include residents that generate waste from self-treatment. Home-generated syringe wastes are excluded from this category if the containment and disposal requirements specified in Section 10.28.090(B)(11)(c) of this title are followed.

(R&R 81 §§10, 30 (part), 3-23-92: R&R 69 §1, 6-25-91: R&R 40 (part), 12-15-88: R&R 39 §8, 10-7-88: R&R 8 (part), 12-19-86)

10.08.054 Biomedical waste storage/treatment operator.

"Biomedical waste storage/treatment operator" means a person who treats and/or stores biomedical waste and is not a biomedical waste generator.
(R&R 81 §§11, 30 (part), 3-23-92: R&R 40 (part), 12-15-88: R&R 39 §9, 10-7-88: R&R 8 (part), 12-19-86)

10.08.055 Biomedical waste storage/treatment site.

"Biomedical waste storage/treatment site" means a location where biomedical waste is stored for more than fifteen (15) days or treated by a person who is not a biomedical waste generator. Sites such as incinerators, steam sterilizers and other approved facilities will be considered biomedical waste storage/treatment sites.
(R&R 81 §12, 3-23-92: R&R 8 (part), 12-19-86)

10.08.056 Biomedical waste transporter.

"Biomedical waste transporter" means a person who transports biomedical waste over public roads commercially or one who transports in volumes that equal or exceed one hundred (100) pounds per month.
(R&R 81 §§13, 30 (part), 3-23-92: R&R 40 (part), 12-15-88: R&R 39 §10, 10-7-88: R&R 8 (part), 12-19-86)

10.08.057 Biomedical waste treatment.

"Biomedical waste treatment" means biomedical waste treated by processes described in Section 10.28.070(C) of this title or by a method approved in writing by the health officer.
(R&R §§14, 30 (part), 3-23-92: R&R 40 (part), 12-15-88: R&R 39 §11, 10-7-88: R&R 8 (part), 12-19-86)

10.08.058 Biosolids.

"Biosolids" means a treated organic product that is produced by wastewater treatment processes and can be beneficially recycled.
(R&R 81 §15, 3-23-92: R&R 8 (part), 12-19-86)

10.08.059 Biosolids utilization site.

"Biosolids utilization site" means a facility that applies or incorporates sewage sludge into the soil surface in accordance with Municipal and Domestic Sludge Utilization Guidelines Best Management Practices, Department of Ecology 82.12, an area that has been treated with biosolids at an application rate that does not exceed the nitrogen utilization requirements of the site's vegetation or crop. Different areas of the same project site need not be geographically contiguous.
(R&R 81 §16, 3-23-92: R&R 8 (part), 12-19-86)

10.08.060 Buffer zone.

"Buffer zone" means that part of the facility that lies between the active area and the property boundary.
(R&R 81 §17, 3-23-92: R&R 8 Part 2 §1(J), 12-19-86)

10.08.062 Bulky waste.

"Bulky waste" means large items of refuse, such as appliances, furniture, and other oversize wastes which would typically not fit into reusable or disposable containers.
(R&R 81 §18, 3-23-92: R&R 8 Part 2 §1(K), 12-19-86)

10.08.065 Clean soils and clean dredge spoils.

"Clean soils and clean dredge spoils" means soils and dredge spoils which are not dangerous wastes or problem wastes as defined in this section.
(R&R 8 Part 2 §1(L), 12-19-86)

10.08.070 Closure.

"Closure" means those actions taken by the owner or operator of a solid waste site or facility to cease disposal operations and to ensure that all such facilities are closed in conformance with applicable regulations at the time of such closures and to prepare the site for the post-closure period.
(R&R 8 Part 2 §1(M), 12-19-86)

10.08.075 Collection agency.

"Collection agency" means any agency, business or service operated by a person for the collecting of solid waste.
(R&R 8 Part 2 §1(N), 12-19-86)

10.08.080 Collection/transportation vehicle.

"Collection/transportation vehicle" means a vehicle, other than a biomedical waste collection/transportation vehicle (see Section 10.08.052 of this chapter) used to transport residential and commercial solid waste generated by others over the highways of King County.
(R&R 81 §19, 3-23-92:
(R&R 39 §1, 10-7-88: R&R 8 Part 2 §1(O), 12-19-86)

10.08.085 Compliance schedule.

"Compliance schedule" means a written schedule of required measures in a permit including an enforcement sequence leading to compliance with this title.
(R&R 39 §2, 10-7-88: R&R 8 Part 2 §1(P), 12-19-86)

10.08.090 Composting.

"Composting" means the controlled degradation of organic waste yielding a product for use as a soil conditioner.
(R&R 8 Part 2 §1(Q), 12-19-86)

10.08.092 Construction, demolition, landclearing (CDL) waste.

"CDL waste" means any combination of recyclable or nonrecyclable construction, demolition and landclearing waste that results from construction, remodeling, repair or demolition

of buildings, roads or other structures, or from landclearing for development, and requires removal from the site of construction, demolition or landclearing.
(R&R 81 §20, 3-23-92: R&R 8 (part), 12-19-86)

10.08.094 Construction waste.

"Construction waste" means wood, concrete, drywall, masonry, roofing, siding, structural metal, wire, insulation, and other building material; and plastics, styrofoam, twine, baling and strapping materials, cans, buckets, and other packaging materials and containers. It also includes sand, rocks and dirt that are used in construction. In no event shall "construction waste" include dangerous or extremely hazardous waste of any kind, garbage (as defined by Section 10.08.185 of this chapter), sewerage waste, animal carcasses or asbestos.
(R&R 81 §21, 3-23-92: R&R 8 (part), 12-19-86)

10.08.095 Container.

"Container" means a device used for the collection, storage, and/or transportation of solid waste including but not limited to reusable containers, disposable containers, detachable containers and tanks, fixed or detachable.
(R&R 8 Part 2 §1(R), 12-19-86)

10.08.100 Contaminate.

"Contaminate" means to allow to discharge a substance into surface or ground water that would cause:

A. The concentration of that substance in the groundwater to exceed the maximum contamination level specified in WAC 173-304-9901 including the numerical criteria listed in Table 1, WAC 173-200-040(2), or an alternative enforcement limit established under WAC 173-200-040;

B. A statistically significant increase in the concentration of that substance in the groundwater where the existing concentration of that substance exceeds the maximum contaminant level specified in WAC 173-304-9901, Table 1 of WAC 173-200-040(2), or an alternative enforcement limit established under WAC 173-200-050, whichever is the most stringent; or

C. A statistically significant increase above background in the concentration of that substance which:

1. Is not specified in WAC 173-304-9901, Table 1 of WAC 173-200-040(2) or an alternative enforcement limit established under WAC 173-200-050;

2. Is present in the solid waste; and

3. Has been determined to present a substantial risk to human health or the environment in the concentrations found at the point of compliance by the health officer in consultation with the Department of Ecology and the Department of Health.

(R&R 81 §22, 10-23-92: R&R 39 §3, 10-7-88: R&R 8 Part 2 §1(S), 12-19-86)

10.08.105 Cover material.

"Cover material" means soil or other suitable material that has been approved by the health officer as cover for wastes.
(R&R 8 Part 2 §1(T), 12-19-86)

10.08.110 Dangerous wastes.

"Dangerous wastes" means any solid waste designated as dangerous waste by the Department of Ecology under WAC Chapter 173-303.
(R&R 8 Part 2 §2(A), 12-19-86)

10.08.115 Demolition waste.

"Demolition waste" means concrete, drywall, asphalt, wood, masonry, composition roofing, roofing, siding, structural metal, wire, insulation, and other materials found in demolished building, roads, and other structures. It also includes sand, rocks and dirt that result from demolition. In no event shall "demolition waste" include dangerous or extremely hazardous waste, liquid waste, garbage (as defined by Section 10.08.185 of this chapter), sewerage waste, animal carcasses or asbestos.
(R&R 81 §23, 3-23-92: R&R 8 Part 2 §2(B), 12-19-86)

10.08.120 Detachable containers.

"Detachable containers" means reusable containers that are mechanically loaded or handled such as a "dumpster" or drop box.
(R&R 8 Part 2 §2(C), 12-19-86)

10.08.125 Disposable containers.

"Disposable containers" means containers that are used to handle solid waste such as plastic bags, cardboard boxes and paper bags.
(R&R 8 Part 2 §2(D), 12-19-86)

10.08.130 Disposal or deposition.

"Disposal" or "deposition" means the discharge, deposit, injection, dumping, leaking, or placing of any solid waste into or on any land or water.
(R&R 8 Part 2 §2(E), 12-19-86)

10.08.135 Disposal site.

"Disposal site" means the location where any final treatment, utilization, processing, or deposition of solid waste occurs. See also the definition of "interim solid waste handling site."
(R&R 8 Part 2 §2(F), 12-19-86)

10.08.140 Drop box facility.

"Drop box facility" means a facility used for the placement of a detachable container including the area adjacent for necessary entrance and exit roads, unloading and turn-around areas. Drop box facilities normally serve the general public with loose loads and receive waste from off the site.
(R&R 8 Part 2 §2(G), 12-19-86)

10.08.142 Empty.

"Empty" means all waste has been removed that can be removed using the practices commonly employed to remove materials from the type container, e.g., pouring, pumping or aspirating. Additionally, containers in excess of twenty-five (25) gallons must have at least one (1) end removed. Containers which once held acutely hazardous waste must be triple rinsed with an appropriate solvent or cleaned by an equivalent method to be considered empty. (Note: Household hazardous waste is exempt from this requirement unless included by label directives--i.e., certain pesticides.) Containers which once held pesticides regulated under the Federal Insecticide, Fungicide, and Rodenticide Act must be emptied according to label instructions or triple rinsed with an appropriate solvent if the container bears the danger or warning label. Cylinders of compressed gas are "empty" when the pressure in the container is equivalent to atmospheric pressure. Any rinsate or vacuumed residue which results from the cleaning of containers or inner liners shall, whenever possible, be reused in a manner consistent with the original intended purpose of the substance in the container or inner liner.
(R&R 81 §25, 3-23-92: R&R 8 (part), 12-19-86)

10.08.145 Energy recovery.

"Energy recovery" means the recovery of energy in a useable form from mass burning or refuse derived fuel incineration, pyrolysis or any other means of using the heat of combustion of solid waste that involves high temperature (above one thousand two hundred degrees Fahrenheit (1,200°F)) processing.
(R&R 8 Part 2 §2(H), 12-19-86)

10.08.150 Existing facility.

A. "Existing facility" means a facility which is owned or leased, and in operation, or for which construction has begun, on or before the effective date of the rules and regulations codified in this title and the owner or operator has obtained permits or approvals necessary under federal, state and local statutes, regulations and ordinances. A facility has commenced construction if either:

1. A continuous on-site physical construction program has begun; or
2. The owner or operator has entered into contractual obligations which cannot be canceled or modified without substantial financial loss for physical construction of the facility to be completed within a reasonable time.

B. Lateral extensions of a landfill's active area on land purchased and permitted by the health officer for the purpose of landfilling before the effective date of the rules and regulations codified in this title shall be considered existing facilities.
(R&R 8 Part 2 §2(I), 12-19-86)

10.08.155 Expanded facility.

"Expanded facility" means a facility adjacent to an existing facility for which the land is purchased and approved by the health officer after the effective date of the rules and regulations codified in this title. A vertical expansion approved and permitted by the health officer after the effective date of the rules and regulations codified in this title shall be considered an expanded facility.
(R&R 8 Part 2 §2(J), 12-19-1986)

10.08.160 Facility.

"Facility" means all contiguous land (including buffer zones) and structures, other appurtenances, and improvements on the land used for solid waste handling.
(R&R 8 Part 2 §2(K), 12-19-86)

10.08.165 Facility structures.

"Facility structures" means buildings, sheds, utility lines, and drainage pipes on the facility.
(R&R 8 Part 2 §2(L), 12-19-86)

10.08.170 Final treatment.

"Final treatment" means the act of processing or preparing solid waste for disposal, utilization, reclamation, or other approved method of use.
(R&R 8 Part 2 §2(M), 12-19-86)

10.08.175 Free liquids.

"Free liquids" means any sludge which produces measurable liquids when the Paint Filter Liquids Test, Method 9095 of EPA Publication Number SW-846, is used.
(R&R 8 Part 2 §2(N), 12-19-86)

10.08.180 Fumarole.

"Fumarole" means an opening in the surface of a landfill from which smoke and gases arise.
(R&R 8 Part 2 §2(O), 12-19-86)

10.08.185 Garbage.

"Garbage" means unwanted animal and vegetable wastes and animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food, swill and carcasses of dead animals, and of such a character and proportion as to be capable of attracting or providing food for vectors, except sewage and biosolids.
(R&R 81 §26, 3-23-92: R&R 8 Part 2 §3(A), 12-19-86)

10.08.190 Groundwater.

"Groundwater" means that part of the subsurface water which is in the zone of saturation.
(R&R 8 Part 2 §3(B), 12-19-86)

10.08.195 Health officer.

"Health officer" means the Director of the Seattle-King County Department of Public Health or his/her designated representative.
(R&R 8 Part 2 §3(C), 12-19-86)

10.08.200 Holocene fault.

"Holocene fault" means a fracture along which rocks on one (1) side have been displaced with respect to those on the other side and that has occurred in the most recent epoch of the quaternary period extending from the end of the pleistocene to the present.
(R&R 8 Part 2 §3(D), 12-19-86)

10.08.202 Household hazardous waste (HHW).

"Household hazardous waste" means any discarded liquid, solid, gas or sludge, including any material, substance, product, commodity or waste, regardless of quantity, which would meet the characteristics or criteria for designation as a State Dangerous Waste or Extremely Hazardous Waste under WAC Chapter 173-303 except that it is generated at a residence and is exempt. It includes, but is not limited to: cleaning agents; pesticides; solvents; motor fuels; crankcase oil; and chemicals used for home repair and remodeling, auto, boat and equipment maintenance, and hobby and recreational uses.
(R&R 81 §27, 3-23-92: R&R 8 (part), 12-19-86)

10.08.204 Human excrement.

"Human excrement" means human fecal material and urine.
(R&R 81 §28, 3-23-92: R&R 8 (part), 12-19-86)

10.08.205 Incineration.

"Incineration" means reducing the volume of solid wastes by use of an enclosed device using controlled flame combustion.
(R&R 8 Part 2 §3(E), 12-19-86)

10.08.207 Industrial sludge.

"Industrial sludge" means a semisolid substance consisting of settled solids combined with varying amounts of water or solvent and dissolved materials generated from industrial processes such as spray paint booths, solvent recovery systems, metal plating operations, or other like methods, excluding biosolids and municipal sewerage sludge.
(R&R 81 §29, 3-23-92: R&R 8 (part), 12-19-86)

10.08.210 Industrial solid wastes.

"Industrial solid wastes" means waste by-products from manufacturing operations such as scraps, trimmings, packing, and other discarded materials not otherwise designated as dangerous waste under WAC Chapter 173-303.
(R&R 8 Part 2 §3(F), 12-19-86)

10.08.215 Industrial wastewater facility.

"Industrial wastewater facility" means all structures, equipment, or processes required to collect, carry away, treat, reclaim, or dispose of industrial wastewater.
(R&R 8 Part 2 §3(G), 12-19-86)

10.08.220 Inert wastes.

"Inert wastes" means noncombustible, nondangerous solid wastes that are likely to retain their physical and chemical structure under expected conditions of disposal, including resistance to biological attack and chemical attack from acidic rainwater.
(R&R 8 Part 2 §3(H), 12-19-86)

10.08.222 Infection control staff/committee.

"Infection control staff/committee" means those individuals designated by a biomedical waste generator or a biomedical waste storage treatment operator whose responsibility includes but is not limited to developing and maintaining the biomedical waste generator's or biomedical waste storage/treatment operator's biomedical waste management plan.
(R&R 81 §30 (part), 3-23-92: R&R 40 (part), 12-15-88: R&R 39 §4, 10-7-88: R&R 8 Part 2 §3(I), 12-19-86)

10.08.230 Interim solid waste handling site.

"Interim solid waste handling site" means any interim treatment, utilization or processing site engaged in solid waste handling which is not the final site of disposal. Transfer stations, drop boxes, baling and compaction sites, source separation centers, and treatment facilities are considered interim solid waste handling sites.
(R&R 81 §31, 3-23-92: R&R 8 Part 2 §3(J), 12-19-86)

10.08.233 Laboratory.

"Laboratory" means a room or building equipped for scientific experimentation, research, testing, or clinical studies of specimens, fluids, tissues, cultures or stocks of etiological agents and associated biologicals or other biologically active agents.
(R&R 40 (part), 1988: Ord. 39 §12, 10-7-88)

10.08.234 Land clearing waste.

"Land clearing waste" means natural vegetation and minerals such as stumps, brush, blackberry vines, tree branches, and associated dirt, sand, tree bark, sod and rocks.
(R&R 81 §32, 3-23-92: R&R 8 (part), 12-19-86)

10.08.235 Landfill.

"Landfill" means a disposal facility or part of a facility at which solid waste is permanently placed in or on land and which is not a landspreading disposal facility.
(R&R 8 Part 2 §3(K), 12-19-86)

10.08.237 Landspreading disposal facility.

"Landspreading disposal facility" means a facility that applies biosolids or other solid wastes onto or incorporates solid waste into the soil surface at greater than vegetative utilization and soil conditioners/immobilization rates.
(R&R 81 §33, 3-23-92: R&R 8 (part), 12-19-86)

10.08.245 Leachate.

"Leachate" means water or other liquid that has been contaminated by dissolved or suspended materials due to contact with solid waste or gases therefrom.
(R&R 8 Part 2 §3(M), 12-19-86)

10.08.250 Liquid.

"Liquid" means a substance that flows readily and assumes the form of its container but retains its independent volume.
(R&R 8 Part 2 §3(N), 12-19-86)

10.08.255 Local fire control agency.

"Local fire control agency" means a public or private agency or corporation providing fire protection such as a local fire department, the Department of Natural Resources or the United States Forest Service."
(R&R 8 Part 2 §3(O), 12-19-86)

10.08.260 Lower explosive limits.

"Lower explosive limits" means the lowest percentage by volume of a mixture of explosive gases which will propagate a flame in air at twenty-five degrees centigrade (25°C) and atmospheric pressure.
(R&R 8 Part 2 §3(P), 12-19-86)

10.08.265 Moderate risk waste (MRW).

"Moderate risk waste" means:

A. Any waste that exhibits any of the properties of hazardous waste but is exempt from regulation under the Dangerous Waste Regulations solely because the waste is generated in quantities below the threshold for regulation; or

B. Any household wastes which are generated from the disposal of substances identified by the department as household hazardous waste (see Section 10.08.202 of this chapter).
(R&R 81 §34, 3-23-92: R&R 8 (part), 12-19-86)

10.08.267 Municipal sewerage sludge.

"Municipal sewerage sludge" means a semisolid substance consisting of settled solids combined with varying amounts of water and dissolved materials collected in a municipal waste water treatment plant.
(R&R 81 §§35, 40 (part), 3-23-92: R&R 8 (part), 12-19-86)

10.08.270 New facility.

"New facility" means a facility which begins operation or construction after the effective date of the rules and regulations codified in this title (see also the definition of "existing facility").
(R&R 8 Part 2 §4(A), 12-19-86)

10.08.275 Nonconforming site.

"Nonconforming site" means a solid waste handling facility which does not currently

comply with the facility requirements applicable but does comply with a compliance schedule issued in a solid waste permit by the health officer.
(R&R 8 Part 2 §4(B), 12-19-86)

10.08.280 Nuisance.

"Nuisance" consists in unlawfully doing an act, or omitting to perform a duty, which act or omission either annoys, injures, or endangers the comfort, repose, health or safety of others, offends decency, or unlawfully interferes with, obstructs or tends to obstruct, any lake or navigable river, bay, stream, canal, or basin, or any public park, square, street or highway; or in any way renders other persons insecure in life, or in the use of property.
(R&R 8 Part 2 §4(C), 12-19-86)

10.08.285 One hundred (100) year floodplain.

"One hundred (100) year floodplain" means any land area which is subject to one percent (1%) or greater chance of flooding in any given year from any source.
(R&R 8 Part 2 §4(D), 12-19-86)

10.08.290 Open burning.

"Open burning" means the burning of solid waste materials in an open fire or an outdoor container without providing for the control of combustion or the control of emissions from the combustion.
(R&R 8 Part 2 §4(E), 12-19-86)

10.08.295 Performance standard.

"Performance standard" means the criteria for the performance of solid waste handling facilities.
(R&R 8 Part 2 §4(F), 12-19-86)

10.08.297 Permanent moderate risk waste (MRW) collection/storage facility.

"Permanent MRW collection/ storage facility" generally means an enclosed building, large container/cargo van or portable collection/storage unit that is specifically built or set up at a permanent or semipermanent location to collect, store, transfer and ship moderate risk waste.
(R&R 81 §36 (part), 3-23-92: R&R 8 (part), 12-19-86)

10.08.300 Permeability.

"Permeability" means the ease with which a porous material allows liquid or gaseous fluids to flow through it. For water, this is usually expressed in units of centimeters per second and termed hydraulic conductivity. Soils and synthetic liners with a permeability for water of 1 x 10-7 cm/sec or less may be considered impermeable.
(R&R 8 Part 2 §4(G), 12-19-86)

10.08.305 Permit.

"Permit" means an authorization issued by the health officer which allows a person to

perform solid waste activities at a specific location and which includes specific conditions for such facility operations.
(R&R 8 Part 2 §4(H), 12-19-86)

10.08.315 Person.

"Person" means an individual, firm, association, copartnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever.
(R&R 8 Part 2 §4(J), 12-19-86)

10.08.320 Pile.

"Pile" means any noncontainerized accumulation of solid waste that is used for treatment or storage.
(R&R 8 Part 2 §4(K), 12-19-86)

10.08.325 Plan of operation.

"Plan of operation" means the written plan developed by an owner or operator of a facility detailing how a facility is to be operated during its active life and during closure and post-closure.
(R&R 8 Part 2 §4(L), 12-19-86)

10.08.330 Point of compliance.

"Point of compliance" means that part of groundwater that lies beneath the perimeter of a solid waste facilities' active area as that active area would exist at closure of the facility.
(R&R 8 Part 2 §4(M), 12-19-86)

10.08.335 Post-closure.

"Post-closure" means the requirements placed upon disposal facilities after closure to ensure their environmental safety for a number of years after closure.
(R&R 8 Part 2 §4(N), 12-19-86)

10.08.340 Premises.

"Premises" means a tract or parcel of land with or without habitable buildings.
(R&R 8 Part 2 §4(O), 12-19-86)

10.08.345 Problem wastes.

"Problem wastes" means:

A. Soils removed during the cleanup of a remedial action site, or a dangerous waste site closure or other cleanup efforts and actions and which contain harmful substances above the levels specified in the State Model Toxics Control Act Regulation (WAC Chapter 173-340) for soils, but are not designated dangerous wastes; or

B. Dredge spoils resulting from the dredging of surface waters of the state where contaminants are present in the dredge spoils at concentrations not suitable for open water disposal and the dredge spoils are not dangerous wastes and are not regulated by Section 404 of

the Federal Clean Water Act (PL 95-217).
(R&R 81 §37 (part), 3-23-92: R&R 8 Part 2 §4(P), 12-19-86)

10.08.352 Process to further reduce pathogens (PFRP).

A. "Process to further reduce pathogens (PFRP)" means a biosolids treatment process from the following list:

1. Composting. Using the within-vessel composting method, the biosolids are maintained at operating conditions of fifty-five degrees centigrade (55°C) one hundred thirty-one degrees Fahrenheit (131°F) or greater for three (3) days. Using the static aerated pile composting method, the biosolids are maintained at fifty-five degrees centigrade (55°C) one hundred thirty-one degrees Fahrenheit (131°F) or greater for three (3) days. Using the windrow composting method, the solid waste must attain a temperature of fifty-five degrees centigrade (55°C) one hundred thirty-one degrees Fahrenheit (131°F) or greater for at least fifteen (15) days during the composting period. Also, during the high temperature period, there will be a minimum of five (5) turnings of the windrow.

2. Heat Drying. Dewatered biosolids cake is dried by direct or indirect contact with hot gases, and moisture content is reduced to ten percent (10%) or lower. Biosolids particles reach temperatures well in excess of eighty degrees centigrade (80°C) one hundred seventy-six degrees Fahrenheit (176°F), or the wet bulb temperature of the gas stream in contact with the biosolids at the point where they leave the dryer is in excess of eighty degrees centigrade (80°C) one hundred seventy-six degrees Fahrenheit (176°F).

3. Heat Treatment. Liquid biosolids are heated to temperatures of one hundred eighty degrees centigrade (180°C) three hundred fifty-six degrees Fahrenheit (356°F) for thirty (30) minutes.

4. Thermophilic Aerobic Digestion. Liquid biosolids are agitated with air or oxygen to maintain aerobic conditions at residence times of ten (10) days at fifty-five to sixty degrees centigrade (55-60°C) one hundred thirty-one to one hundred forty degrees Fahrenheit (131-140°F), with a volatile solids reduction of at least thirty-eight percent (38%).

5. Other Methods. Other methods or operating conditions may be acceptable if pathogens and vector attraction of the waste (volatile solids) are reduced to an extent equivalent to the reduction achieved by any of the above methods.

B. Any of the processes listed below, if added to a process to significantly reduce pathogens, will further reduce pathogens. Because the processes listed below, on their own, do not reduce the attraction of disease vectors, they are only add-on in nature.

1. Beta Ray Irradiation. Biosolids are irradiated with beta rays from an accelerator at dosages of at least 1.0 megarad at room temperature (circa twenty degrees centigrade (20°C)) (sixty-eight degrees Fahrenheit (68°F)).

2. Gamma Ray Irradiation. Biosolids are irradiated with gamma rays from certain isotopes, such as Cobalt and Cesium, at dosages at least 1.0 megarad at room temperature (circa twenty degrees centigrade (20°C)) (sixty-eight degrees Fahrenheit (68°F)).

3. Pasteurization. Biosolids are maintained for at least thirty (30) minutes at a minimum temperature of seventy degrees centigrade (70°C) (one hundred fifty-eight degrees Fahrenheit (158°F)).

4. Other Methods. Other methods or operating conditions may be acceptable if

pathogens are reduced to an extent equivalent to the reduction achieved by any of the above add-on methods.
(R&R 81 §38, 3-23-92: R&R 8 (part), 12-19-86)

10.08.354 Process to significantly reduce pathogens (PSRP).

"Process to significantly reduce pathogens (PSRP)" means a biosolids treatment process from the following list:

A. Aerobic Digestion. The process is conducted by agitating biosolids with air or oxygen to maintain aerobic conditions at residence times ranging from sixty (60) days at fifteen degrees centigrade (15°C) (fifty nine degrees Fahrenheit (59°F)) to forty (40) days at twenty degrees centigrade (20°C) (sixty-eight degrees Fahrenheit (68°F)), with a volatile solids reduction of at least thirty-eight percent (38%).

B. Air Drying. Liquid biosolids are allowed to drain and/or dry on under-drained sand beds or paved or unpaved basins in which the biosolids are at a depth of nine inches (9"). A minimum of three (3) months is needed, two (2) months of which temperatures average on a daily basis above zero degrees centigrade (0°C) (thirty-two degrees Fahrenheit (32°)).

C. Anaerobic Digestion. The process is conducted in the absence of air at residence times ranging from sixty (60) days at twenty degrees centigrade (20°C) (sixty-eight degrees Fahrenheit (68°F)) to fifteen (15) days at thirty-five to fifty-five degrees centigrade (35-55°C) (ninety-five to one hundred thirty-one degrees Fahrenheit (95-131°F)), with a volatile solids reduction of at least thirty-eight percent (38%).

D. Composting. Using the within-vessel, static aerated pile or windrow composting methods, the solid waste is maintained at minimum operating conditions of forty degrees centigrade (40°C) (one hundred four degrees Fahrenheit (104°F)) for five (5) days. For four (4) hours during this period the temperature exceeds fifty-five degrees centigrade (55°C) one hundred thirty-one degrees Fahrenheit (131°F).

E. Lime Stabilization. Sufficient lime is added to produce a pH of twelve (12) after two (2) hours of contact.

F. Other Methods. Other methods or operating conditions may be acceptable if pathogens and vector attraction of the waste (volatile solids) are reduced to an extent equivalent to the reduction achieved by any of the above methods.
(R&R 81 §39, 3-23-92: R&R 8 (part), 12-19-86)

10.08.355 Putrescible wastes.

"Putrescible wastes" means solid waste which contains material capable of being decomposed by micro-organisms.
(R&R 8 Part 2 §4(R), 12-19-86)

10.08.360 Pyrolysis.

"Pyrolysis" means the process in which solid wastes are heated in an enclosed device in the absence of oxygen to vaporization, producing a hydrocarbon-rich gas capable of being burned for recovery of energy.
(R&R 8 Part 2 §4(S), 12-19-86)

10.08.365 Reclamation site.

"Reclamation site" means a location used for the processing or the storage of recycled waste.
(R&R 8 Part 2 §5(A), 12-19-86)

10.08.367 Recycling.

"Recycling" means either source separation or the processing of solid waste mechanically or by hand to segregate materials for sale or reuse. Materials which can be removed through recycling include but are not limited to mixed paper, newsprint, cardboard, aluminum, glass, plastics, chemicals, oil, wood, compostable organics (food and yard/land clearing debris), ferrous metal and inorganics (rubble and inert material). "Recycling" does not include combustion of solid waste or preparation of a fuel from solid waste.
(R&R 81 §40 (part), 3-23-92: R&R 8 (part), 12-19-86)

10.08.370 Reserved.

"Reserved" means a section having no requirements and which is set aside for future possible rulemaking as a note to the regulated community.
(R&R 8 Part 2 §5(B), 12-19-86)

10.08.375 Reusable containers.

"Reusable containers" means containers that are used more than once to handle solid waste such as garbage cans.
(R&R 8 Part 2 §5(C), 12-19-86)

10.08.380 Runoff.

"Runoff" means any rainwater, leachate or other liquid which drains over land from any part of the facility.
(R&R 8 Part 2 §5(D), 12-19-86)

10.08.385 Run-on.

"Run-on" means any rainwater or other liquid which drains over land onto any part of a facility.
(R&R 8 Part 2 §5(E), 12-19-86)

10.08.390 Scavenging.

"Scavenging" means the removal of materials at a disposal site, or interim solid waste handling site without the approval of the owner or operator and the health officer.
(R&R 8 Part 2 §5(F), 12-19-86)

10.08.395 Septage.

"Septage" means a semisolid consisting of settled sewage solids combined with varying amounts of water and dissolved materials generated from a septic tank system.

(R&R 8 Part 2 §5(G), 12-19-86)

10.08.405 Sewage treatment works.

"Sewage treatment works" means any device or system which is used in the treatment of recycling or reclamation of sewage and/or liquid industrial wastes. This then includes sewers, pipes, or other conveyances only if they convey wastewater to a sewage treatment works.
(R&R 8 Part 2 §5(I), 12-19-86)

10.08.412 Small quantity generator (SQG).

"Small quantity generator" means a business that generates wastes in amounts below federal and state hazardous waste regulatory thresholds, generally less than two hundred twenty (220) pounds of hazardous waste or 2.2 lbs of extremely hazardous waste per month or per batch. SQG waste includes, but is not limited to dyes, paints, thinners, solvent, coolants, cleaning fluids, photographic chemicals, adhesives, alcohols, industrial sludges, acids and bases from businesses.
(R&R 81 §41, 3-23-92: R&R 8 (part), 12-19-86)

10.08.415 Sole source aquifer.

"Sole source aquifer" means an aquifer designated by the Environmental Protection Agency pursuant to Section 1424e of the Safe Drinking Water Act (PL 93-523).
(R&R 8 Part 2 §5(K), 12-19-86)

10.08.420 Solid waste.

"Solid waste" means all putrescible and nonputrescible solid and semisolid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, biomedical waste, swill, demolition and construction wastes, land clearing wastes, abandoned vehicles or parts thereof, discarded commodities, or contaminated excavated soil/fill material. This includes all liquid, solid and semisolid materials which are not the primary products of public, private, industrial, commercial, mining and agricultural operations. "Solid waste" includes, but is not limited to, biosolids from wastewater treatment plants, septage from septic tanks, woodwaste, dangerous waste and problem wastes.
(R&R 81 §42, 3-23-92: R&R 43 §14, 10-7-88: R&R 8 Part 2 §5(L), 12-19-86)

10.08.425 Solid waste handling.

"Solid waste handling" means the management, storage, collection, transportation, treatment, utilization or final disposal of solid wastes, including the recovery and recycling of materials from solid wastes, the recovery of energy resources from such wastes or the conversion of the energy in such wastes to more useful forms or combinations thereof.
(R&R 81 §43, 3-23-92: R&R 8 Part 2 §5(M), 12-19-86)

10.08.430 Solid waste management.

"Solid waste management" means the systematic administration of activities which provide for the collection, source separation, storage, transportation, transfer, processing, treatment, and disposal of solid waste.
(R&R 8 Part 2 §5(N), 12-19-86)

10.08.435 Special purpose facility.

"Special purpose facility" means a method of solid waste handling not otherwise provided for in this title.
(R&R 8 Part 2 §5(O), 12-19-86)

10.08.438 Steam sterilization.

"Steam sterilization" means sterilizing biomedical waste by use of saturated steam within a pressure vessel at temperatures sufficient to kill all microbiological agents in the waste as determined by biological and chemical indicator monitoring requirements set forth in this title.
(R&R 81 §44, 3-23-92: R&R 40 (part), 12-15-88: R&R 39 §15, 10-7-88: R&R 8 (part), 12-14-86)

10.08.440 Storage.

"Storage" means the holding of solid waste materials for a temporary period.
(R&R 8 Part 2 §5(P), 12-19-86)

10.08.445 Stream.

"Stream" means the point at which any confined freshwater body of surface water reaches a mean annual flow of twenty (20) cubic feet per second.
(R&R 8 Part 2 §5(Q), 12-19-86)

10.08.450 Surface impoundment.

"Surface impoundment" means a facility or part of a facility which is a natural topographic depression, man-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials), and which is designed to hold an accumulation of liquids or biosolids. The term includes holding, storage, settling, and aeration pits, ponds or lagoons, but does not include injection wells.
(R&R 81 §45, 3-23-92: R&R 8 Part 2 §5(R), 12-19-86)

10.08.455 Surface water.

"Surface water" means all lakes, rivers, ponds, wetlands, streams, inland waters, salt waters and all other water and watercourses within the jurisdiction of the state of Washington.
(R&R 81 §46, 3-23-92: R&R 8 Part 2 §5(S), 12-19-86)

10.08.460 Transfer station.

"Transfer station" means a permanent, fixed, supplemental collection and transportation facility, used by persons and route collection vehicles to deposit collected solid waste from off-site into a larger transfer vehicle for transport to a solid waste handling facility. Transfer stations may also include recycling facilities, and compaction/baling systems.
(R&R 8 Part 2 §6(A), 12-19-86)

10.08.465 Treatment.

"Treatment" means the physical, chemical or biological processing of solid waste to make such solid wastes safer for storage or disposal, amenable for energy or material resource recovery or reduced in volume. "Treatment" includes methods such as grinding, shredding, screening, aerating, chemical or biological altering, heating and sorting to render the waste useful as a recyclable (commodity), fuel source, approved fill material, other approved and useful item, or prepare it for disposal. The treatment of inert wastes is excluded from this definition.
(R&R 81 §47, 3-23-92: R&R 8 Part 2 §6(B), 12-19-86)

10.08.470 Twenty-five (25) year storm.

"Twenty- five (25) year storm" means a storm of a particular duration and of such an intensity that it has a four percent (4%) probability of being equalled or exceeded in each year.
(R&R 8 Part 2 §6(C), 12-19-86)

10.08.475 Twenty-four (24) hour, twenty-five (25) year storm.

"Twenty-four (24) hour, twenty-five (25) year storm" means a twenty-five (25) year storm of twenty-four (24) hours duration.
(R&R 8 Part 2 §6(D), 12-19-86)

10.08.480 Upland.

"Upland" means land areas that are not within any wetland or high water zone of any river, stream, lake, or tidal area under the jurisdiction of the United States Corps of Engineers, Washington State Department of Natural Resources, or Washington State Department of Ecology and not regulated under Section 404 of the Federal Clean Water Act (PL 95-217).
(R&R 8 Part 2 §6(E), 12-19-86)

10.08.482 Used oil.

"Used oil" means:

A. Lubricating fluids that have been removed from an engine crankcase, transmission, gearbox, hydraulic device or differential of an automobile, truck, bus, vessel, plane, heavy equipment or machinery powered by an internal combustion engine;

B. Any oil that has been refined from crude oil, used, and as a result of use, has been contaminated with physical or chemical impurities; or

C. Any oil that has been refined from crude oil and, as a consequence of extended storage, spillage or contamination, is no longer useful to the original purchaser. "Used oil" does not include oil to which hazardous wastes have been added.
(R&R 81 §48, 3-23-92: R&R 8 (part), 12-19-86)

10.08.485 Utilization.

"Utilization" means consuming, expending, or exhausting by use, solid waste materials.
(R&R 8 Part 2 §6(F), 12-19-86)

10.08.490 Vadose zone.

"Vadose zone" means that portion of a geologic formation in which soil pores contain some water, the pressure of that water is less than atmospheric pressure, and the formation occurs

above the zone of saturation.
(R&R 8 Part 2 §6(G), 12-19-86)

10.08.495 Vector.

"Vector" means a living animal, insect or other arthropod which may transmit an infectious disease from one (1) organism to another.
(R&R 81 §49, 3-23-92: R&R 8 Part 2 §6(H), 12-19-86)

10.08.500 Waste recycling.

"Waste recycling" means reusing waste materials and extracting valuable materials from a waste stream.
(R&R 8 Part 2 §6(I), 12-19-86)

10.08.505 Waste reduction.

"Waste reduction" means reducing the amount or type of waste generated.
(R&R 8 Part 2 §6(J), 12-19-86)

10.08.510 Water quality standard.

"Water quality standard" means a standard set for maximum allowable contamination in surface waters as set forth in WAC Chapter 173-201, Water Quality Standards for Waters of the State of Washington.
(R&R 8 Part 2 §6(K), 12-19-86)

10.08.515 Wetlands.

"Wetlands" means those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, estuaries and similar areas.
(R&R 8 Part 2 §6(L), 1219-86)

10.08.520 Woodwaste.

"Woodwaste" means solid waste consisting of wood pieces or particles generated as a byproduct or waste from the manufacturing of wood products, handling and storage of raw materials and trees and stumps. This includes but is not limited to sawdust, chips, shavings, discarded pallets, clean dimensional lumber, bark, pulp, hog fuel, and log sort yard waste, but does not include wood pieces or particles containing chemical preservatives such as paint, creosote, pentachlorophenol or copper-chrome-arsenate.
(R&R 81 §50, 3-23-92: R&R 8 Part 2 §6(M), 12-19-86)

10.08.522 Yard waste.

"Yard waste" means waste resulting from maintenance or removal of vegetation, including, but not limited to brush, branches, prunings, grass, leaves, flowers, shrubs and small trees. "Yard waste" shall not include animal excrement, rocks, garbage, solid wastes other than

yard waste, demolition debris, household hazardous waste, biomedical wastes, moderate risk waste, dangerous waste or extremely hazardous waste.
(R&R 81 §51, 3-23-92: R&R 8 (part), 12-19-86)

10.08.525 Zone of saturation.

"Zone of saturation" means that part of a geologic formation in which soil pores are filled with water and the pressure of that water is equal to or greater than atmospheric pressure.
(R&R 8 Part 2 §6(N), 12-19-86)

Chapter 10.12
ADMINISTRATION

10.12.010 Other agencies and jurisdictions.

All solid waste management shall be subject to the authority of other laws, regulations or other agency requirements in addition to this title. Nothing in this title is intended to abridge or alter the rights of action by the state or by a person which exist in equity, common law or other statutes to abate pollution or to abate a nuisance.
(R&R 8 Part 3 §1(A), 1219-86)

10.12.020 Enforcement authority.

The health officer shall have the authority to enforce the provisions of this title in accordance with Chapter 1.08 of this code. The health officer is also authorized to adopt rules not inconsistent with the provisions of this title for the purpose of enforcing and carrying out its provisions.
(R&R 8 Part 3 §1(B), 12-19-86)

10.12.030 Exempted activities.

A. Permits are not required for single-family residences and single-family farms dumping or depositing solid waste resulting from their own activities onto or under the surface of land owned or leased by them when such action does not create a nuisance, violate statutes, ordinances, or regulations, including this title.

B. Permits are not required for corrective actions at solid waste handling facilities performed by the state and/or in conjunction with the United States Environmental Protection Agency to implement the Comprehensive Environmental Response Compensation and Liability Act of 1980 (CERCLA), or corrective actions taken by others to comply with a state and/or federal cleanup order, provided that:

1. The action results in an overall improvement of the environmental impact of the site;
2. The action does not require or result in additional waste being delivered to the site or increase the amount of waste or contamination present at the site;
3. The applicable facility standards are met; and
4. The health officer is informed of the actions to be taken and is given the opportunity to review and comment upon the proposed corrective action plans.

(R&R 8 Part 3 §1(C), 12-19-86)

10.12.040 Inspections.

A. Frequency. An inspection of a solid waste disposal site, sewage treatment works or collection/transportation vehicle may be performed by the health officer as often as such officer deems reasonably necessary, with a minimum frequency of once per year.

B. Access. Every person operating a solid waste disposal site or collection/transportation vehicle shall permit the health officer, after proper identification, to enter the site, sewage treatment works or vehicle during its normal business hours for the purpose of making inspections to determine compliance with this title; and shall permit the health officer to examine the operation and records of the establishment to obtain the information necessary to determine compliance.

C. Report.

1. Whenever an inspection of a solid waste disposal site or collection/transportation vehicle is made, the findings shall be recorded on the inspection report form prepared by the health officer.

2. The inspection report form shall summarize the requirements of this title. Inspectional remarks shall be written to reference, by section number, the section of this title violated and shall state the date of the inspection.

3. A copy of the completed inspection report form shall be furnished to the person in charge of the site or vehicle at the conclusion of the inspection or shall be mailed within five (5) working days of inspection.

(R&R 81 §52, 3-23-92: R&R 8 Part 3 §5, 12-19-86)

10.12.050 Nonconforming disposal site.

When an existing disposal site not fully meeting this title applies to the health officer for a permit, a permit for a nonconforming site may be issued. The conditions of the permit shall be itemized by the health officer and shall include a schedule of compliance or a closure schedule as appropriate.

(R&R 8 Part 3 §6, 12-19-86)

10.12.060 Variances.

A. Applicability. Any person who owns or operates a solid waste facility may apply to the health officer for a variance from any section of this title. The application shall be accompanied by such information as the health officer may require. The health officer may grant such variance, but only after due notice (or a public hearing) if it finds that:

1. The solid waste handling practices or site location do not endanger public health, safety or the environment; and

2. Compliance with the regulation from which variance is sought would produce hardship without equal or greater benefits to the public.

B. No variance shall be granted pursuant to this section until the health officer has considered the relative interests of the applicant, other owners of property likely to be affected by the handling practices and the general public.

C. Any variance or renewal may be granted within the requirements of subsection (A) of this section but with the following limitations:

1. If the variance is granted on the grounds that there is no practicable means known or available for the adequate prevention, abatement or control of pollution involved, it shall be only until the necessary means for prevention, abatement or control become known and available and subject to the taking of any substitute or alternative measures that the health officer may prescribe.

2. The health officer may grant a variance conditioned by a time table if:

a. Compliance with this title will require spreading of costs over a considerable time period; and

b. The time table is for a period that is needed to comply with this title.

3. Any variance granted pursuant to this section may be renewed on terms and conditions and for periods which would be appropriate on initial granting of a variance. No renewal thereof shall be granted, unless following a public hearing on the complaint or due notice, the health officer finds the renewal is justified. No renewal shall be granted except on application. Any such application shall be made at least sixty (60) days prior to the expiration of the variance. Immediately upon receipt of an application for renewal, the health officer shall give public notice of such application in accordance with this title.

4. An application for a variance, or for the renewal thereof, submitted to the health officer shall be approved or disapproved by the health officer within ninety (90) days of receipt unless the applicant and the health officer agree to a continuance.

5. No variance from WAC Chapter 173-304 shall be granted by the health officer except with the approval and written concurrence of the Department of Ecology prior to action on the variance by the health officer. The health officer may grant variances from this title, without Department of Ecology approval and written concurrence for standards that are more stringent than the standards of WAC Chapter 173-304, or from provisions in this title that are not contained in WAC Chapter 173-304.

6. Public notice shall be given by mailing a notice of the variance application to persons who have written to the health officer asking to be notified of all variance requests.

(R&R 81 §52A, 3-23-92: R&R 8 Part 3 §7, 12-19-86)

10.12.070 Imminent and substantial dangers.

Notwithstanding any provisions of this title the health officer may take immediate action to prevent an imminent and substantial danger to the public health by the improper management of any waste irrespective of quantity or concentration.

(R&R 8 Part 6 §6, 12-19-86)

Chapter 10.16
PERMITS FOR NEW OR EXPANDED FACILITIES

10.16.010 Approval required.

A solid waste disposal site shall not be constructed, substantially altered or expanded until plans and specifications for such construction, alteration or improvement have been submitted to and approved by the health officer, and a fee paid as set forth in this chapter. It is the responsibility of persons operating, or proposing to operate, a solid waste facility to obtain all necessary permits and approvals, including those of other applicable agencies, before starting

construction or operation. All new or expanded solid waste handling facilities shall meet the requirements of Section 10.16.020 and the applicable sections of Chapters 10.32 through 10.84, after the effective date of the rules and regulations codified in this title.
(R&R 8 Part 3 §2(A), 12-19-86)

10.16.020 Application--Filing.

A. Any owner or operator subject to the permit requirements who intends to operate a facility must apply for a permit with the health officer. Filing shall not be complete until two (2) copies of the application have been signed by the owner and operator and received by the health officer and the applicant has filed an environmental checklist
required under the State Environmental Policy Act Rules, WAC Chapter 197-11.

B. Applications for a permit must contain the information set forth in Section 10.16.030 of this Chapter.

C. Once the health officer determines that an application for a permit is factually complete, he/she shall refer one (1) copy to the appropriate regional office of the Department of Ecology for review and comment.

D. The health officer shall investigate every application to determine whether the facility meets all applicable laws and regulations, conforms to the approved county comprehensive solid waste handling plan and complies with all zoning requirements.

E. The Department of Ecology shall report to the health officer its findings on each permit application within forty-five (45) days from receipt of a complete application or inform the health officer as to the status of the application. Additionally, the Department of Ecology shall recommend for or against the issuance of each permit by the health officer.

F. When the health officer has evaluated all pertinent information, he/she may issue a permit. Each completed solid waste permit application shall be either approved or disapproved within ninety (90) days after its receipt by the health officer or the applicant shall be informed as to the status of the application.

G. Except for applications specified in Section 10.16.030(H), every permit issued by the health officer shall be on a format prescribed by the Department of Ecology and shall contain specific requirements necessary for the proper operation of the permitted site or facility including the requirement that final engineering plans and specifications be submitted for approval to the health officer.

H. All permits must be filed with the Department of Ecology no more than seven (7) days after the date of issuance.

I. The owner or operator of a facility shall apply for renewal of the facility's permit annually. The health officer shall:

1. Review the original application for compliance with this title and require such additional information as spelled out in subsection (D) of this section;
2. Review information collected from inspections, complaints or known change in the operation;
3. Collect the permit renewal fee;
4. Renew the permit; and
5. File the renewed permit with the Department of Ecology no more than seven (7) days after the date of issuance. The Department of Ecology shall review and may appeal the renewal as set forth in RCW 70.95.185 and 70.95.190.

(R&R 81 §53, 3-23-92: R&R 8 Part 3 §2(B), 12-19-86)

10.16.030 Application--Contents.

A. All permit applications, except applications for inert waste landfills, special purpose facilities and recycling facilities, which are specified in subsection (H) of this section, shall contain the following:

1. A general description of the facility;
2. The types of waste to be handled at the facility;
3. The plan of operation required by Section 10.32.030 of this title;
4. The form used to record weights or volumes required by Section 10.32.030;
5. An inspection schedule and inspection log required by Section 10.32.030;
6. Documentation to show that any domestic or industrial wastewater treatment facility, such as a leachate treatment system, is being reviewed by the Department of Ecology under WAC Chapter 173-240.

B. Application Contents for Permits for New or Expanded Landfill Facilities. In addition to the requirements of subsection (A) of this section, each landfill permit application must contain:

1. A geohydrological assessment of the facility that addresses:
   a. Local/regional geology and hydrology, including faults, unstable slopes and subsidence areas on site,
   b. Evaluation of bedrock and soil types and properties,
   c. Depths to groundwater and/or aquifer(s),
   d. Direction and flow rate of local groundwater,
   e. Direction of regional groundwater,
   f. Quantity, location and construction (where available) of private and public wells within a two thousand foot (2,000') radius of site,
   g. Tabulation of all water rights for groundwater and surface water within a two thousand foot (2,000') radius of the site,
   h. Identification and description of all surface waters within a one (1) mile radius of the site,
   i. Background groundwater and surface water quality assessment, and for expanded facilities, identification of impacts the existing facility has upon groundwaters and surface waters from landfill leachate discharge,
   j. Calculation of a site water balance,
   k. Conceptual design of a groundwater and surface water monitoring system, including proposed installation method for these devices and, where applicable a vadose zone monitoring plan,
   l. Land use in the area, including nearby residences, and
   m. Topography of the site and drainage patterns;
2. Preliminary engineering report/plans and specifications that address:
   a. How the facility will meet the location standards of Sections 10.32.010 and 10.32.020 of this title,
   b. Relationships of facility to county comprehensive solid waste management plan and the basis for calculating the facility's life,
   c. The design of bottom and side liners,
   d. Identification of borrow sources for daily and final cover, and soil liners,
   e. Interim/final leachate collection, treatment and disposal,
   f. Landfill gas control and monitoring,

g. Trench design, fill methods, elevation of final cover and bottom liner, and equipment requirements, and

h. Closure/post-closure design, construction, maintenance, and land use;

3. An operation plan that addresses:

a. Operation and maintenance of leachate collection, treatment and disposal systems,

b. Operation and maintenance of landfill gas control systems,

c. Monitoring plans for groundwater, surface water and landfill gases to include sampling technique, frequency, handling and analyses requirements,

d. Safety and emergency accident/fire plans,

e. Routine filling, grading, cover and housekeeping,

f. Record system to address weights (or volumes), number of vehicles and the types of waste received,

g. Vector control plans,

h. Noise control,

i. Handling solid wastes on-site during the active life of the facility,

j. Self inspections including frequency and methodology,

k. Actions to take if there is a fire or explosion,

l. Actions to take if leaks are detected,

m. Corrective action programs to take if groundwater is contaminated,

n. Actions to take for other releases (e.g., failure of the runoff containment system), and

o. A plan for waste screening activities;

4. Closure plan that addresses:

a. Estimate of closure year and the schedule at which partial sequential closure is to be implemented,

b. Capacity of site in volume and estimated tonnage,

c. Year-to-year maintenance of the active area versus completed, final coverage acreage,

d. Closure cost estimates and projected fund withdrawal intervals of the associated closure costs from the financial assurance instrument,

e. Estimated closure construction timing and notification procedures,

f. Final inspection by regulatory agencies, and

g. Financial assurance instrument as described in WAC 173-304-467 and WAC 173-304-468 or as hereafter amended;

5. Post-closure plan to address:

a. Estimated time period for post-closure activities,

b. Site monitoring of landfill gas, groundwater, and surface water,

c. Deed clause changes, land use and zoning restrictions,

d. Maintenance activities to maintain cover and runoff systems, and

e. Identification and final closure costs including cost calculations and the funding mechanism for final assurance, as described in WAC 173-304-467 and WAC 173-304-468 or as hereafter amended.

C. Application Contents for New or Expanded Transfer Stations, Drop Box Facilities, and Baling and Compaction Systems Requiring a Permit. In addition to the requirements of subsection (A) of this section, each application for a permit must contain preliminary engineering report/plans and specifications that address:

1. The proposed facility's zoning status;
2. The relationship to the county comprehensive solid waste management plan;
3. The area to be served by the facility; and
4. The facility design to address how the facility shall meet requirements of Chapter 10.60 of this title, including closure.

D. Application Contents for New or Expanded Surface Impoundments Requiring a Permit. In addition to the requirements of subsection (A) of this section, each applicable application for a permit must contain:

1. A geohydrological assessment of the facility that addresses all of the factors in subsection (A)(1) of this section;
2. Preliminary engineering report/plans and specifications that address, where applicable:
   a. How the proposed facility will meet the locational standards of Sections 10.32.010 and 10.32.020 of this title,
   b. The relationship of the facility to the county comprehensive solid waste management plan,
   c. The design of liners and foundation to be incorporated in the facilities design including the design of leachate collection and treatment systems,
   d. The design of groundwater monitoring,
   e. The design of dikes including calculations of dike stability analyses under conditions of liner failure,
   f. Other design details, including biosolids cleanout and disposal, overfilling alarms and inlet design, and
   g. Closure/post-closure design, construction maintenance and proposed land use,
3. An operation plan that addresses:
   a. Operation and maintenance of leachate collection system, or groundwater monitoring,
   b. Operation and maintenance of overfilling equipment or details of filling and emptying techniques,
   c. Inspection of dikes and liners for integrity, and
   d. Final inspection by regulatory agencies;
4. A closure plan that addresses:
   a. Estimate of closure year and cost,
   b. Methods of removing wastes, liners and any contaminated soils, and location of final disposal,
   c. Closure timing and notification procedures, and
   d. Final inspection by regulatory agencies.

E. Application Contents for New or Expanded Piles Requiring a Permit. In addition to the requirements of subsection (A) of this section, each application for a permit must contain:

1. Preliminary engineering reports/plans and specifications that address:
   a. How the proposed facility will meet the locational standards of Sections 10.32.010 and 10.32.020 of this title,
   b. The relationship of the facility to the county comprehensive solid waste management plan and zoning requirements.
   c. The design of the liner or sealed surface upon which the liner rests, including an analysis of the liners ability to withstand the stress,
   d. The design of the run-on and runoff system,

e. The design to avoid washout when the pile is located in a one hundred (100) year floodplain, and

f. Maximum elevation and boundaries of the waste pile;

2. An operation plan that addresses:

a. Methods of adding or removing wastes from the pile and equipment used,

b. Inspection of the liner for integrity, and

c. Safety and emergency plans;

3. A closure plan that addresses:

a. Estimate of closure year and cost,

b. Methods of removing wastes, liners and any contaminated soils, and location of final disposal,

c. Closure timing and notification procedures, and

d. Final inspection by regulatory agencies.

F. Application Contents for New or Expanded Energy Recovery and Incinerator Facilities Requiring a Permit. In addition to the requirements of subsection (A) of this section, each permit application must contain:

1. Preliminary engineering reports/plans and specifications that address:

a. The relationship of the facility to the county comprehensive solid waste management plan and zoning requirements,

b. The design of the storage and handling facilities on-site for incoming waste as well as fly ash, bottom ash and any other wastes produced by air or water pollution controls, and

c. The design of the incinerator or thermal treater, including charging or feeding systems, combustion air systems, combustion or reaction chambers, including heat recovery systems, ash handling systems, and air pollution and water pollution control systems. Instrumentation and monitoring systems design shall also be included;

2. An operation plan that addresses:

a. Cleaning of storage areas as required by Section 10.64.020(B) of this title,

b. Alternative storage plans for breakdowns as required in Section 10.64.020(D),

c. Inspection to insure compliance with state and local air pollution laws and to comply with Section 10.32.060 of this title. The inspection log or summary must be submitted with the application, and

d. How and where the fly ash, bottom ash and other solid wastes will be disposed of;

3. A closure plan that addresses:

a. Estimate of closure year and cost,

b. Methods of closure and methods of removing wastes, equipment and location of final disposal,

c. Closure timing and notification procedures, and

d. Final inspection by regulatory agencies.

G. Application Contents for New or Expanded Landspreading Disposal Facilities Requiring a Permit. In addition to the requirements of subsection (A) of this section, each permit application must contain:

1. A geohydrological assessment of the facility that addresses all of the factors of subsection (B)(1) of this section;

2. Preliminary engineering reports/plans and specifications that address:

a. How the proposed facility will meet the locational standards of Sections

10.32.010 and 10.32.020 of this title,

b. The relationship of the facility to the county comprehensive solid waste management plan;

c. The basis for calculating the facility's life,

d. Waste analyses and methods to periodically sample and analyze solid waste,

e. Design of interim waste storage facilities if such facilities are not otherwise permitted by the health officer,

f. Design of run-on and runoff systems,

g. A contour map of the active area showing contours to the nearest foot,

h. A groundwater and surface water monitoring program, and

i. Access barriers such as fences, and warning signs;

3. An operation plan that addresses:

a. Operation and maintenance of runoff and run-on systems,

b. Methods of taking groundwater samples and for maintaining groundwater systems,

c. Methods of applying wastes that meet the requirements of Section 10.40.030 of this title,

i. Estimated multiples of agronomic rates,

ii. Frequency of discing, and

iii. Avoidance of standing water,

d. The written contract required between landowners, waste generators and waste operators;

4. A closure plan that addresses:

a. Estimate of closure season/year,

b. Capacity of site in volume and tonnage,

c. Year-to-year maintenance of the active area versus completed, final coverage acreage,

d. Closure construction timing and notification procedures, and

e. Final inspection by regulatory agencies;

5. A post-closure plan that addresses:

a. Estimated time period for post-closure activities,

b. Site monitoring of groundwater,

c. Deed clause changes, land use and zoning restrictions,

d. Maintenance activities to maintain cover and runoff systems,

e. Plans for food chain crops being grown on the active areas, after closure, and

f. Identification of final closures costs including cost calculations and the funding mechanism.

H. Application contents for new or expanded inert waste landfills, solid waste treatment sites, permanent MRW collection storage sites, special purpose facilities, woodwaste landfills, and recycling facilities shall be on forms whose content shall be specified by the health officer. (R&R 81 §54, 3-23-92: R&R 8 Part 3 §2(C), 12-19-86)

10.16.040 Renewal application.

All owners or operators of existing facilities shall renew permits or application forms specified in Section 10.16.030(C). Previous information submitted to the health officer may be referred to on the application forms. Changes in operating methods or other changes must be

noted on the application in order to be authorized by permit.
(R&R 8 Part 3 §2(D), 12-19-86)

10.16.050 Preoperational inspection.

Whenever plans and specifications are required by this chapter to be submitted to the health officer, the health officer may inspect the solid waste disposal site or facility prior to the start of the operations.
(R&R 8 Part 3 §2(E), 12-19-86)

10.16.070 Reexamination fee.

When plans and specifications that have been examined are altered and resubmitted, an additional fee for the reexamination of such plans shall be assessed at the current cost of plan review. Where a duplicate set of approved plans are submitted for examination and approval at any time after a permit has been issued on the original approved plans, a fee shall be charged at the current cost of plan review for such examination and approval. Where a complete redesign of a site is submitted after one (1) design has been examined, a new review fee shall be charged in addition to the review fee for the first design. The examination of any further redesign shall be similarly charged.
(R&R 8 Part 3 §2(G), 12-19-86)

Chapter 10.20
PERMITS FOR VEHICLES AND EXISTING FACILITIES

10.20.010 Permit required.

It shall be unlawful for any person to operate a collection/transportation vehicle, an existing disposal site, facility, a biomedical waste storage/treatment site, or operate as biomedical waste transporter without a valid permit issued by the health officer. Permits shall not be transferable and shall be valid only for the person and place or vehicle for which issued.
(R&R 81 §55, 3-23-92: R&R 40 (part), 12-15-88: R&R 39 §16, 10-7-88: R&R 8 Part 3 §3(A), 12-19-86)

10.20.020 Permit application.

Any person desiring to operate a collection/transportation vehicle, a disposal site, a biomedical waste storage/treatment site or operate as a biomedical waste transporter shall submit three (3) copies of a written application to the health officer, on a form to be provided by the health officer. The health officer shall refer one (1) copy to the Washington State Department of Ecology. Such application shall include the applicant's full name, post office address, and the signature of an authorized representative of the applicant; shall disclose whether such applicant is an individual, firm, corporation, and, if a partnership, the names and mailing addresses of all of the partners; the address, legal description and type of the respective solid waste disposal site, facility, collection/transportation vehicle or biomedical waste collection/transportation vehicle; and shall be accompanied by the permit fee amount described in Chapter 10.24 of this title. Applicants for a biomedical waste transporter permit shall also state the legal description of the site(s) that the

applicant is planning to use to treat biomedical waste, and have a contingency plan as described in Section 10.28.070(C)(4) of this title.
(R&R 81 §56 (part), 3-23-92: R&R 40 (part), 12-15-88: R&R 39 §17, 10-7-88: R&R 8 Part 3 §3(B), 12-19-86)

10.20.030 Permit issuance.

When inspection reveals that the applicable requirements of this title have been met and the applicable fee has been paid, a permit shall be issued to the applicant by the health officer. The health officer may deny the application if in his/her judgment the operation of the site or vehicle is likely to result in a hazard to the public health and/or will not meet the requirements of this title. The health officer may also suspend or revoke a permit during its term for noncompliance with conditions of the permit, the permittee's failure to disclose relevant facts at any time, or if the permittee's activity endangers or manifests irresponsibility concerning public health or the environment. The health officer shall consider any relevant health and safety factors in making this determination. If an application is denied or a permit is suspended or revoked, the health officer at the time of the denial, suspension, or revocation shall inform the applicant in writing of the reasons for the denial or revocation and the applicant's right to an appeal pursuant to Chapter 70.95 RCW.
(R&R 40 (part), 12-15-88: R&R 39 §18, 10-7-88: R&R 8 Part 3 §3(C), 12-19-86)

10.20.040 Special purpose facilities permit.

When the disposal site and operation utilize a new method of solid waste handling or disposal not otherwise provided for in this title, a special purposes facilities permit may be issued. The health officer shall determine which items of this title shall apply to the disposal site on a case-by-case basis so as to protect the public health and the environment and to avoid the creation of nuisances. The terms and conditions of the special permit shall be itemized in writing by the health officer.
(R&R 8 Part 3 §3(D), 12-19-86)

10.20.045 Approval of change of infectious waste treatment site.

Should the holder of an infectious waste transporter permit desire to transport infectious waste to a site other than the site listed, the permittee shall first obtain written approval of said site from the health officer.
(R&R 40 (part), 12-15-88: R&R 39 §19, 10-7-88)

10.20.060 Closure permit.

When an owner/operator plans to close a municipal waste landfill, CDL landfill or woodwaste landfill, a closure plan and application for closure permit must be submitted to the health officer. The health officer shall have the authority to require landfill operators and/or owners to submit closure plans for closed or abandoned landfills.
(R&R 81 §57, 3-23-92: R&R 8 Part 3 §3(F), 12-19-86)

10.20.070 Expiration.

All permits issued pursuant to this title shall expire on the December 31st following the

date of issuance, except permits for collection/ transport vehicles and biomedical waste transporters which shall expire on the June 30th following the date of issuance.
(R&R 81 §58, 3-23-92: R&R 40 (part), 12-15-88: R&R 39 §20, 10-7-88: R&R 8 Part 3 §3(G), 12-19-86)

Chapter 10.24
FEES

10.24.010 Annual (new/renewal) operating permit fees.

The permit fees for solid waste disposal sites, collection/transportation vehicles, biomedical waste transporters, biomedical waste storage/treatment sites, and sewage treatment works subject to the fee requirements of this title shall be the annual fees set forth below:

A. Municipal landfill $150.00
B. CDL landfill 150.00
C. Inert landfill 100.00
D. Solid waste incineration and energy recovery 150.00
E. Compost 475.00
F. Transfer station 2,000.00
G. Permanent MRW collection and storage facility 750.00
H. Recycling:
   1. Noncontainerized composting piles
   First acre 100.00
   Each additional acre 15.00
   2. Waste pile recycling 100.00
   3. Solid waste treatment site 250.00
I. Closed landfill site 3,000.00
J. Drop box 75.00
K. Landspreading (land utilization of biosolids):
   1. Sites with biosolids application rates greater than or equal to four (4) dry tons per acre
   First acre 150.00
   Each additional acre 10.00
   2. Sites with biosolids application rates less than four (4) dry tons per acre 150.00
L. Collection/transportation vehicle .....
   27.00 for each vehicle
M. Biomedical waste transporter up to four (4) vehicles 100.00
   Each additional vehicle 20.00
N. Special purpose facility 100.00
O. Storage/treatment piles
   First acre 100.00
   Each additional acre 15.00
P. Woodwaste landfilling 250.00
Q. Surface impoundments 250.00

R. Biomedical waste storage/treatment site 250.00

(R&R 87 §1, 12-16-92: R&R 82 §2, 6-12-92; R&R 81 §59, 3-23-92: R&R 63 §1, 12-18-90: R&R 40 (part), 12-15-88: R&R 39 §21, 10-7-88: R&R 8 Part 3 §4(A), 12-19-86)

10.24.015 Permit application/plan review fees.

Plans and specifications shall be accompanied by nonre-fundable fee as follows:

A. Municipal landfill
   Base fee $600.00
   Each additional acre ..... 10.00 (total fee not to exceed $1,000.00)

B. CDL landfill
   Base fee 600.00
   Each additional acre ..... 10.00 (total fee not to exceed $1,000.00)

C. Inert landfill 200.00

D. Energy recovery and incineration 550.00

E. Recycling
   1. Noncontainerized composting 100.00
      Each additional acre ..... 15.00 (total fee not to exceed $1.000.00)
   2. Waste pile recycling 200.00
   3. Solid waste treatment site 100.00

E. Transfer station 220.00

G. Special-purpose facility 300.00

H. Closed landfill plan review 550.00

I. Drop box 110.00

J. Biosolids utilization sites:
   1. Sites with biosolids application rates greater than or equal to four (4) dry tons per acre per year
      First acre 150.00
      Each additional acre ..... 10.00 (total fee not to exceed $500.00)
   2. Sites with biosolids application rates less than four (4) dry tons per acre per year 150.00

K. Storage/treatment piles
   First acre 100.00
   Each additional acre 50.00

L. Woodwaste landfilling 300.00
   Each additional acre ..... 10.00 (total fee not to exceed $500.00)

M. Surface impoundments 250.00

N. Permanent MRW collection and storage facility 250.00
(R&R 82 §3, 6-12-92; R&R 81 §60, 3-23-92: R&R 8 Part 3 §2(F), 12-19-86)

10.24.020 Tonnage and volume fees.

The health officer shall receive the following fee per ton or cubic yard of all solid waste entering a municipal landfill or CDL landfill for disposal:

	Sites Without Scales	Sites With Scales
Landfills	N/A	67¢/ton
Inert/Demolition Landfills	35¢/cubic yard	35¢/ton

(R&R 81 §61, 3-23-92: R&R 76 §1, 12-11-91: R&R 63 §2, 12-18-90: R&R 8 Part 3 §4(B), 12-19-86)

10.24.030 Payment.

All volume or tonnage fees are to be forwarded to the health officer monthly on a form prescribed by the health officer prior to the fifteenth (15th) day of each month.
(R&R 40 (part), 12-15-88: R&R 39 §22, 10-7-88: R&R 8 Part 3 §4(C), 12-19-86)

10.24.050 Special inspections.

Fees for inspection service requested by the solid waste disposal site, collection/transportation vehicle management, biomedical waste storage/treatment site or biomedical waste transporter, to be performed outside regular departmental working hours will be charged at a rate equal to the cost of performing the service.
(R&R 81 §62, 3-23-92: R&R 40 (part), 12-15-88: R&R 39 §23, 10-7-88: R&R 8 Part 3 §4(E), 12-19-86)

10.24.055 Solid waste variance fee.

Where the health officer is involved with official review and processing of requests for variance from these regulations, he/she may grant the same as long as the action will not impair public health and safety. The nonrefundable fee for review of a variance request is one hundred fifty dollars ($150.00).
(R&R 81 §63, 3-23-92: R&R 8 (part), 12-19-86)

10.24.060 Special services--Authority.

The health officer is also authorized to charge such fees as he/she may deem necessary for the furnishing of special services or materials requested that are not ordinarily provided under permit or pursuant to statute. Such services and materials to be furnished may include but are not limited to the following:

A. Reproduction and/or search of records and documents;

B. Examination, testing or inspection of particular products, materials, construction, equipment or appliances to determine their compliance with the provision of this title or their acceptability for use.
(R&R 40 (part), 12-15-88: R&R 39 §25, 10-7-88: R&R 8 Part 3 §4(F), 12-19-86)

10.24.070 Special services--Terms and conditions.

The health officer or his/her authorized representative shall have full authority to specify the terms and conditions upon which such services and materials shall be made available, consistent with any applicable statutes and ordinances; provided, that any fees imposed pursuant to this authorization shall be reasonably equivalent to King County's cost for furnishing the services and materials.
(R&R 40 (part), 12-15-88: R&R 39 §26, 10-7-88: R&R 8 Part 3 §4(G), 12-19-86)

Chapter 10.28
WASTE MANAGEMENT

10.28.010 Storage requirements generally.

The owner and/or occupant of any premises shall be responsible for the safe and sanitary storage of all solid wastes accumulated at that premises until it is removed to a disposal site. The storage area and storage containers shall be maintained in a clean, safe, and nuisance-free condition. Provisions shall be made for safe and sanitary disposal of leakage and drainage from sanitary compactors, drop boxes and from storage areas. Materials shall be contained to prevent blowing. Additionally, generators should refer to Sections 10.28.040 through 10.28.120 pertaining to specific solid wastes handling requirements. Dangerous waste handling and disposal shall be regulated by the Department of Ecology pursuant to WAC Chapter 173-303 as amended.
(R&R 81 §64, 3-23-92: R&R 40 (part), 12-15-88: R&R 39 §28, 10-7-88: R&R 8 Part 4 §1(A), 12-1986)

10.28.020 Container construction.

The owner, operator, or occupant of any premises, business establishment, or industry shall store containerized solid wastes in containers that meet the following requirements:

A. Disposable containers shall be sufficiently strong to allow lifting without breakage and shall be thirty-two (32) gallons in capacity or less where manual handling is practiced.

B. Reusable containers, except for detachable containers, shall be:

1. Rigid and durable;
2. Corrosion-resistant;
3. Nonabsorbent and watertight;
4. Rodentproof and easily cleanable;
5. Equipped with a close-fitting cover;
6. Suitable for handling with no sharp edges or other hazardous conditions; and
7. Equal to or less than thirty-two (32) gallons in volume where manual handling is practiced.

C. Detachable containers shall be durable, corrosion-resistant, nonabsorbent, nonleaking

and having either a solid cover or screen cover to prevent littering.

D. The health officer may require disinfection of any container. Containers shall be cleaned frequently to prevent rodent/vector and odor nuisances. All wastewater from container cleaning shall be disposed of in a sanitary sewer system unless otherwise authorized by the health officer. In addition, the health officer may require the disinfection of any container.
(R&R 40 (part), 12-15-88: R&R 39 §29, 10-7-88: R&R 8 Part 4 §1(B), 12-19-86)

10.28.030 Collection and transportation.

A. All persons collecting or transporting solid waste shall avoid littering, or the creation of other nuisances at the loading point, during transport and for the proper unloading of the solid waste at a permitted transfer station or other permitted solid waste handling site.

B. Vehicles or containers used for the collection and transportation of solid waste, except biomedical waste, shall be tightly covered or screened where littering may occur, durable and of easily cleanable construction. Where garbage is being collected or transported, containers shall be cleaned and kept in good repair as necessary to prevent nuisances, odors and insect breeding.

C. Vehicles or containers used for the collection and transportation of any solid waste, except biomedical waste, shall be loaded and moved in such a manner that the contents will not fail, leak in quantities to cause a nuisance, or spill therefrom. Where such spillage or leakage does occur, the waste shall be picked up immediately by the collector or transporter and returned to the vehicle or container and the area otherwise properly cleaned.

D. Biomedical waste shall be transported over public roads only in leakproof and fully enclosed container or vehicle compartment. Biomedical waste shall not be transported in the same vehicle with other waste or medical specimens unless the biomedical waste is contained in a separate, fully enclosed leakproof container within the vehicle compartment. Biomedical waste shall be delivered for treatment only to a facility that meets all local, state and federal environmental regulations, as determined by the appropriate local, state and federal agencies. The transporter shall keep records of disposal for a period of at least three (3) years, and they shall be available to the health officer upon request. Surfaces of biomedical waste collection/transportation vehicles that have contacted spilled or leaked biomedical waste shall be decontaminated as described in this title.

E. Biomedical waste collection/transportation vehicles used by permitted biomedical waste transporters shall have a leakproof fully enclosed vehicle compartment of a durable and easily cleanable construction, and shall be identified on each side of the vehicle with the name or trademark of the biomedical waste transporter.

F. All persons commercially collecting or transporting solid waste shall inspect collection and transportation vehicles monthly for repairs to containers such as missing or loose-fitting covers or screens, leaking containers, etc., and maintain such inspection records at the facility normally used to park such vehicles or such other location that maintenance records are kept. Such records shall be kept for a period of at least two (2) years, and be made available upon the request of the health officer.

G. Vehicles shall be cleaned frequently to prevent rodent/vector and odor nuisances. In addition, the health officer may require disinfection of any vehicle. All wastewater from vehicle cleaning shall be disposed of in a sanitary sewer system unless otherwise authorized by the health officer.
(R&R 81 §66, 3-2-92: R&R 40 (part), 12-15-88: R&R 39 §30, 10-7-88: R&R 8 Part 4 §1(C), 12-19-86)

10.28.040 Garbage and rubbish.

A. Storage. Garbage shall be stored in containers which meet the requirements of Section 10.28.020. Rubbish shall be stored and transported so as not to create a nuisance or litter problem.

1. Where garbage is stored in combination with rubbish, containers for the storage of the mixture shall meet garbage storage standards.

2. Containers shall be of a size and weight acceptable to the collecting agency, subject to agreement with the health officer, the municipality and the customer.

3. Containers shall be cleaned with sufficient frequency to prevent nuisances.

B. Removal. Garbage shall be removed from the premises no less than once per week, unless a different frequency is approved by the health officer.

C. Disposal. Garbage and rubbish may be disposed of at any of the sites outlined in Chapters 10.32 through 10.68 of this title, including facilities that recycle, incinerate, recover energy or landfill; except, garbage shall not be deposited at CDL landfills, inert landfills, woodwaste landfills or landspreading sites.

(R&R 81 §67, 3-23-9; R&R 8 Part 4 §2, 12-19-86)

10.28.045 Approval of change of biomedical waste treatment site.

Should the holder of a biomedical waste transporter permit desire to transport biomedical waste to a site other than the site listed in the current permit application, the permittee shall first obtain written approval of the site from the health officer.

(R&R 81 §68, 3-23-92: R&R 8 (part), 12-19-86)

10.28.050 Household waste.

A. General. All household waste except for banned and restricted use pesticides, wood-treating preservatives and used crankcase oils shall be deposited with the waste stream, in accordance with Sections 10.28.010, 10.28.020 and 10.28.030 of this chapter.

B. Toxic. Banned and restricted use pesticides, wood treating preservatives and used crankcase oils shall not be deposited in the household waste collection system, a public sewer system, an on-site sewage system, the surface water or groundwater, the surface of the ground or under the ground. Usable pesticides and wood preservatives shall be disposed of through proper use and application in accordance with the Environmental Protection Agency approved label requirements, or should be disposed of at disposal sites approved by the health officer. Substantially empty pesticide containers are excluded from this section and should be handled as general household waste.

C. Used Oil.

1. Used oil shall not be deposited in the household waste collection system, a public sewer system, an on-site sewage system, in surface water or groundwater, onto the surface of the ground or under the ground. Used oil shall be delivered to a facility approved to collect used oil for recycling, treatment or disposal such as: transfer stations, permanent MRW collection sites, service stations, lube shops and auto supply stores.

2. The use of used oil for dust suppression or weed control is prohibited.

3. Effective July 1, 1992, no person may sell or distribute absorbent-base kits, intended for home use, as a means for collecting, recycling or disposing of used oil.

4. No owner or operator of a solid waste landfill may knowingly accept used oil for disposal in the landfill.

5. Used automotive oil filters shall not be placed into the solid waste collection system unless they have been thoroughly drained of all fluid oil. This may require having the filters drain up to twenty-four (24) hours.

(R&R 81 §69, 3-23-92: R&R 8 Part 4 §3, 12-19-86)

10.28.055 Yard waste.

A. Yard wastes that have been segregated from the waste stream for the purposes of recycling at a centralized facility shall be stored and transported in such a way as to minimize the creation of odors and excess waste.

B. Effective January 1, 1994, plastic bags shall not be used to store of transport yard wastes. Residential yard waste collection companies shall reject pick-up service of yard wastes that have been stored in plastic bags. Rejected loads shall be tagged to explain the reason for rejection. Solid wastes other than yard wastes shall not be disposed with yard wastes segregated for the purposes of recycling at a centralized facility. Residential yard waste collection companies shall reject pick-up services of yard wastes that are substantially contaminated with other solid wastes. Rejected loads shall be tagged to explain the reason for its rejection.

(R&R 81 §70, 3-23-92: R&R 8 (part), 12-19-86)

10.28.060 Asbestos-containing waste material.

Asbestos-containing waste shall be handled and disposed pursuant to 40 CFR Part 61 Subpart M, WAC Chapter 173-303, and Article 10 of Regulation No. III, Article 4 Puget Sound Air Pollution Control Agency (PSAPCA) as follows:

A. Removal. Persons removing asbestos-containing waste material shall provide advance notification to PSAPCA, which enforces regulations concerning removal and disposal. Asbestos-containing waste material must be wetted down during removal to reduce airborne emissions of particulate matter. The adequately wetted asbestos wastes shall be sealed into a leakproof container. The container must be dust-tight, at least six (6) mils in thickness, completely enclose the asbestos-containing waste material and prevent solids or liquids from escaping or spilling out. Such containers include sealed plastic bags, metal or fiber drums and polyethylene plastic sheeting. Each container must be labeled with an approved asbestos warning sign.

B. Disposal. Generators of regulated asbestos- containing waste material, regardless of quantity, shall dispose of their waste at a landfill approved by the department. The generator must notify the disposal site operator prior to transporting the asbestos waste to allow for adequate site preparation and staff availability. The asbestos-containing waste material shall be covered with at least fifteen (15) centimeters (six inches (6")) of compacted nonasbestos-containing waste material within twenty-four (24) hours of disposal. Asbestos waste shall not be disposed of at transfer stations unless separate provisions are approved (by the health officer) and in place for receiving, storing, monitoring and transporting the material to an approved landfill.

(R&R 81 §71, 3-23-92: R&R 8 Part 4 §4, 12-19-86)

10.28.070 Biomedical waste.

A. Biomedical Waste Management Plan. Each biomedical waste generator (BWG) and biomedical waste storage/treatment operator (BWSTO) must write a biomedical waste management plan with an internal annual review. The plan shall include all aspects of the BWG's or BWSTO's biomedical waste management. The plan must be followed by the BWG or BWSTO. The plan must include a listing of the BWG'S or BWSTO's infection control staff/committee member(s), phone numbers of responsible individuals, definition of wastes handled by the system, department and individual responsibilities, procedures for waste identification, segregation, containment, transport, treatment, treatment monitoring, disposal, contingency planning, staff/house- keeping training for biomedical waste identification, when applicable, and compliance with biomedical waste regulations. The plan must include the chief executive officer's endorsement letter. The plan shall be available for inspection at the request of the health officer.

B. Storage and Containment of Biomedical Waste.

1. Storage of biomedical waste shall be in a manner and location which affords protection from animals, rain and wind; does not provide a breeding place or a food source for insects or rodents; and is accessible only to personnel authorized in the biomedical waste generator's biomedical waste management plan.

2. Biomedical waste shall be segregated from other waste by separate containment from other waste at the point of origin.

3. Biomedical waste, except for sharps, shall be contained in disposable leakproof plastic bags having a strength to prevent ripping, tearing, breaking or bursting under normal conditions of use. The plastic bags shall be appropriately marked by the generator as containing biomedical waste. The plastic bags shall be secured to prevent leakage or expulsion during storage. Note: This shall not apply to biomedical waste stored in rigid plastic, single-use or approved multiple-use marked containers.

4. Sharps shall be contained in leakproof, rigid, puncture resistant, break resistant containers which are labeled and tightly lidded during storage, handling and transport.

5. Biomedical waste held in plastic bags as described in subsection (B)(3) of this section shall be placed in other leakproof containers such as disposable or reusable pails, drums, or bins for storage, handling or transport. The containers shall be conspicuously labeled with the international biohazard symbol, and the words "Biomedical Waste" or other words that clearly denote the presence of biomedical waste.

6. Reusable containers:

a. Reusable containers for biomedical waste storage, handling or transport shall be thoroughly washed and decontaminated by an approved method each time they are emptied unless the surfaces of the containers have been protected from contamination by disposable liners, bags or other devices removed with the waste, separate from those required in subsection (B)(3) of this section.

b. Approved methods of decontamination are agitation to remove visible solid residue combined with one of the following procedures:

i. Chemical Disinfection. Chemical disinfectants should be used in accordance with the manufacturer's recommendations for tuberculocidal and viricidal (Polio type 1 or 2, SA Rotovirus) killing capacities or by disinfectant concentration/contact times approved in writing by the health officer.

ii. Other method approved in writing by the health officer.

c. Reusable pails, drums or bins used for containment of biomedical waste shall not be used for any other purpose except after being disinfected by procedures as described in this

paragraph and after the international biohazard symbol and words "Biomedical Waste" are removed.

7. Trash chutes shall not be used to transfer biomedical waste.

8. Unless approved in writing by the health officer, biomedical waste, other than sharps, shall be treated in accordance with subsection (C) of this section or delivered to a biomedical waste storage/treatment operator within fourteen (14) days from the generation of the waste. Sharps waste must be disposed in accordance with Section 10.28.070(B)(11) or be transported to a storage treatment facility within ninety (90) days commencing from the time the sharps container is sealed.

9. Biomedical waste shall not be subject to compaction prior to treatment.

10. Biomedical waste shall not be placed into the general solid waste stream prior to treatment.

11. At no time shall treated sharps waste, except incinerated sharps waste, be disposed into the general solid waste stream, unless approved in writing by the health officer.

a. Treated sharps waste, except incinerated sharps waste, shall be segregated from the general solid waste stream in approved sharps containers for disposal at a medical waste treatment facility or landfill approved by the health officer. Treated sharps waste shall not be mixed with the general solid waste stream at any time.

b. The transporter of treated sharps waste, excluding incinerated sharps waste, must notify the disposal site operator prior to transporting the sharps waste to allow for adequate site preparation and staff availability. The sharps waste shall be covered with at least six inches (6") of compacted waste material within twenty-four (24) hours of disposal.

c. Home-generated sharps are exempt from other provisions of Section 10.28.070 if prepared for disposal by a means that protects medical handlers, solid waste workers and the public from injury. The disposal of home generated sharps shall be limited to:

i. Depositing sharps at a medical facility which has agreed to accept home-generated sharps;

ii. Depositing properly contained sharps at a pharmacy that provides a program to dispose sharps waste that meets the requirements of these regulations;

iii. Acquiring a pickup service from a biomedical waste transporter permitted by the health officer;

iv. Depositing the sharps in the regular household garbage; provided, that they are contained in a manner that protects solid waste workers and the public. Such containment shall be limited to the following:

(A) Needle clippers approved by the health officer. Such devices shall clip the needle from the syringe directly into a crush-proof container and render the syringe barrel harmless, or

(B) Two (2) liter clear P.E.T. plastic bottles commonly used for soft drink containers. Such bottles shall be tightly capped and taped to further secure the cap to the bottle. The bottle must be labeled/marked "Warning: Syringes, Do Not Recycle.";

v. Other methods approved by the health officer.

C. Biomedical Waste Treatment.

1. Biomedical waste shall be treated prior to disposal by one or more of the following methods:

a. Cultures and stocks of etiologic agents and associated biologicals (as defined in Section 10.08.051 of this title): steam sterilization, incineration or other treatment method approved in writing by the health officer;

b. Laboratory waste (as defined in Section 10.08.051): steam sterilization, incineration or other treatment method approved in writing by the health officer;

c. Sharps (as defined in Section 10.08.051): incineration, containment as described in this title or other treatment method approved in writing by the health officer;

d. Pathological waste (as defined in Section 10.08.051): incineration, interment or other treatment method approved in writing by the health officer. Tissue if 0.5 centimeters or less in diameter may be disposed into an approved sewer system with the approval of the local sewer authority;

e. Human body fluids (as defined in Section 10.08.051) shall be considered treated biomedical waste when they are:

i. Poured directly into an approved sanitary sewer system,

ii. Incinerated, or

iii. Absorbed by materials such as bandages, sanitary napkins or commercial absorbents so that the fluid will not be released from the material and/or become airborne during normal solid waste handling practices;

f. Wastes that have come into contact with human body fluids from patients diagnosed with pathogenic organisms assigned to Biosafety Level 4 (as defined in this title): steam sterilization, incineration or other treatment method approved in writing by the health officer;

g. Other waste(s) determined to be infectious by the generator's infection control staff/committee, as defined in Section 10.08.222: steam sterilization or other method approved by the health officer;

h. Animal carcasses exposed to pathogens in research (as defined in this title): incineration or other treatment method approved in writing by the health officer.

2. Biomedical waste treatment and disposal shall be conducted as follows:

a. Steam Sterilization. Steam sterilization by heating in a steam sterilizer so as to kill all microbiological agents as determined by chemical and biological indicator monitoring requirements set forth in this section. Operating procedures for steam sterilizers shall include, but not be limited to, the following:

i. Adoption of standard written operating procedures for each steam sterilizer, including time, temperature, pressure, type of waste, type of container(s), closure on container(s), pattern of loading, water content and maximum load quantity;

ii. Check of recording and/or indicating thermometers during each complete cycle to ensure the attainment of a minimum temperature of two hundred fifty degrees Fahrenheit (250°F) or one hundred twenty-one degrees centigrade (120°C) for one-half (1/2) hour or longer, depending on quantity and compaction of the load, in order to achieve sterilization of the entire load. Thermometers shall be checked for calibration at least annually;

iii. Use of heat-sensitive tape or other device for each load that is processed to indicate that the load has undergone the steam sterilization process;

iv. Use of the chemical migrating integrator Thermalog-S, or other chemical integrator meeting equivalent time, temperature and steam indicator specifications, based upon Bacillus stearothermophilus spore kill steam sterilization parameters, approved in writing by the health officer. The chemical integrator shall be placed at the center load of each cycle to confirm attainment of adequate sterilization conditions for each biomedical waste treatment cycle run;

v. Use of the biological indicator, Bacillus stearothermophilus, or other biological indicator approved in writing by the health officer, placed at the center of a load processed under standard operating conditions at least monthly to confirm the attainment of

adequate sterilization conditions.

vi. Maintenance of records and procedures specified in paragraphs (i), (ii), (iii), (iv) and (v) of this subsection for a period of not less than three (3) years;

vii. Development and implementation of a written steam sterilization training program for steam sterilizer operators. Biomedical waste so treated shall be disposable into the general solid waste stream provided it is not otherwise hazardous waste or nonincinerated sharps waste.

b. Incineration. Incineration shall be conducted at a sufficient temperature and for sufficient duration that all combustible material is reduced to ash; that no unburned combustible material is evident in the ash. Operating procedures for incinerators shall include, but not be limited to, the following:

i. Adoption of a standard written operating procedure for each incinerator that takes into account: variation in waste composition, waste feed rate and combustion temperature;

ii. Development and implementation of a written incinerator operator training program for incinerator operators;

iii. Implementation of a program to test incinerator ash for extractable heavy metals prior to disposal at a licensed disposal site. Should the incinerator ash fail the Toxicity Characteristics Leaching Procedure (TCLP) analysis for heavy metals, the ash must be handled as a State Dangerous Waste under WAC Chapter 173-303;

iv. Records of generator, quantities and destruction shall be maintained by the incinerator owner/operator for a period of not less than three (3) years.

c. Interment of pathological waste shall be conducted in such a manner so as to meet all federal, state and local regulations.

3. Biomedical waste treated in accordance with this section, with the exception of nonincinerated sharps waste, shall be considered solid waste and may be disposable into the general solid waste stream.

4. Contingency Planning. Each biomedical waste generator and biomedical waste storage/treatment operator must have an alternative plan for the treatment of biomedical waste to be used in the event that changes at the primary treatment facility result in that facility no longer conforming to the requirements of this code.

D. Biomedical Waste Storage/Treatment Site Requirements. Biomedical waste storage areas must comply with the following requirements:

1. Unless otherwise approved by the health officer, the biomedical waste storage area must be located on the same site as the treatment facility.

2. The storage area shall be kept locked and accessible only to authorized personnel at all times.

3. The storage area shall be conspicuously marked with a sign twelve inches by twelve inches (12" x 12") with the words "Biomedical Waste" and the international biohazard symbol.

4. The storage area shall be constructed of cleanable materials and kept in a sanitary condition. A spill kit must be available at the site.

5. The waste shall be stored in a nonputrescent state using refrigeration when necessary.

6. The total combined time biomedical waste can be stored with the biomedical waste transporter and the storage/treatment site, prior to disposal, shall be fifteen (15) days unless otherwise approved by the health officer.

E. Transfer of Biomedical Waste. Any biomedical waste generator who produces more

than one hundred (100) pounds of biomedical waste per month that requires off-site biomedical waste treatment shall have the waste transported only by a biomedical waste transporter.

F. Inspection. The health officer shall have the authority to inspect any biomedical waste generator (BWG) or biomedical waste storage/treatment operator (BWSTO), at any reasonable time, for the purpose of evaluating the BWG's or BWSTO's written biomedical waste management plan, to determine if the BWG's or BWSTO's biomedical waste is being handled, stored, treated and disposed in accordance with this regulation. The health officer shall have the authority to inspect any biomedical waste transporter at any reasonable time, for the purpose of determining if the provisions of this title are being met.

(R&R 81 §72 (part), 3-23-92: R&R 69 §2, 6-25-91; R&R 40 (part), 12-15-88: R&R 39 §32, 10-7-88)

10.28.085 Septage.

Septage must be disposed of directly into a sewage treatment works licensed by the department of ecology, or other facility as approved by the health officer.

(R&R 81 §73, 3-23-92: R&R 8 (part), 12-19-86)

10.28.087 Human excrement.

Human excrement should not be deposited in the solid waste stream for disposal. It should be disposed in a sanitary sewer or approved on-site sewage disposal system. Disposal diapers, adult incontinent products, and medical care and treatment supplies are allowed to be placed into the solid waste disposal system as long as the solid fecal material has been removed. The health officer may by rule exempt classes of facilities from this section upon finding that they are governed by regulations which contain appropriate standards for handling human excrement or where the risks to care providers outweigh the risks to the general public.

(R&R 82 §4 (part), 12-92: R&R 81 §74, 3-23-92)

10.28.090 Animal waste.

A. Dead Animals. Dead animals shall be disposed of in a manner to protect the public health and the environment. Their disposal shall be consistent with local codes. Animals weighing fifteen (15) pounds or less may be disposed with the general household waste. Animals weighing more than fifteen (15) pounds shall be taken to a rendering plant, a veterinary clinic, an animal shelter, pet cemetery or can be disposed of directly at landfills or transfer stations so as not to create a nuisance. Property owners may bury dead animals on their property, so long as no nuisance is created.

B. Agricultural Waste. Agricultural waste shall be regulated pursuant to RCW Chapter 70.95.

C. Dog Droppings. Dog droppings shall be disposed of in a manner such as burial which does not create a nuisance. Dog droppings may be disposed of into the sewer if the system is served by Metro or other large sewer treatment facility which will accept such waste. This waste shall not be put into a septic system.

(R&R 8 Part 4 §7, 12-19-86)

10.28.100 Compost.

A. Household. Composting of household vegetative food waste, grass clippings and/or

other compostable material excluding fecal matter and meat/milk products, shall be maintained in a manner which does not create a nuisance or attract rodents and/or other vectors.

B. Compost Facilities. These facilities shall meet the applicable facility standards found in Chapter 10.68 and/or Chapter 10.48 of this title:

1. Generators of compost for retail sales shall submit chemical analysis and reports at a frequency to be determined by the health officer to demonstrate that the saleable product does not contain levels of chemicals or pathogens that could create a risk to the public health. Testing may include but not be limited to the following parameters: Metals--arsenic, cadmium, chromium, copper, lead, mercury, nickel and zinc; organochlorine pesticides; organophosphorous pesticides; PCB's; PCP's; fecal streptococci and fecal coliforms.

2. Generators of biosolids compost must comply with the standards and procedures established in the Best Management Practices for Use of Municipal Sewage Sludge developed by the Washington State Department of Ecology, and 40 CFR Part 503 upon final promulgation by the Environmental Protection Agency.

3. Generators shall provide written notice to the compost user of the potential public health risks.

4. Odorous materials such as spoiled foods, blood and slaughterhouse wastes shall be immediately processed to prevent odors.

5. The composted material shall not reheat upon standing, shall be innocuous, and shall contain no sharp particles which would cause injury to persons handling the compost.

(R&R 81 §75, 3-23-92: R&R 8 Part 4 §8, 12-19-86)

10.28.110 Bulky waste.

Bulky wastes shall be stored and transported in such a manner so as not to create a nuisance or safety hazard. Bulky waste should be recycled. If recycling is not feasible, these wastes shall be taken directly to a disposal site permitted to accept oversized waste. Landclearing bulky waste such as tree stumps, trees, portions of buildings, and other waste shall be transported directly to a transfer station or landfill designed to accept these bulky wastes; provided, that nothing in this section shall prevent these wastes from being salvaged and/or used as firewood.

(R&R 8 Part 4 §9, 12-19-86)

10.28.120 Excavated soil and fill material.

The health officer shall have the authority to inspect direct and screen any excavated dirt, soil or other material intended for use as upland fill if the material is suspected of containing contaminants at significant levels to endanger the public health, safety or the environment. If the material is determined not to be a dangerous waste, but still contains a significant level of contaminants which could create a problem from: becoming airborne (breathing or nuisance odor), skin contact, leaching into surface waters or groundwaters or entering the food chain, or contains a level of contamination above that specified in the State of Washington Model Toxic Control Act Regulations (WAC Chapter 173-340) for soils, the health officer can regulate the material as solid waste. (See Section 10.80.040 of this title.)

(R&R 81 §76, 3-23-92: R&R 8 Part 4 §10, 12-19-86)

Chapter 10.32

LOCATION REQUIREMENTS

10.32.010 Location requirements--Applicability.

Section 10.32.020 of this chapter shall apply to all new and expanded disposal sites, including mixed municipal waste landfills, construction, demolition, land clearing (CDL) waste landfills, woodwaste landfills, landspreading disposal sites, and piles and surface impoundments that are to be closed as landfills. Section 10.32.020 does not apply to existing facilities or facilities that have closed before the effective date of this title, interim solid waste handling sites, energy recovery and incineration sites, pile and surface impoundments used for storage, utilization of biosolids and other waste on land, inert landfill sites and problem waste sites.
(R&R 81 §77, 3-23-92: R&R 8 Part 5 §1(A), 12-19-86)

10.32.020 Location requirements--Designated.

All applicable solid waste facilities shall be subject to the following locational standards:

A. Geology. No facility shall be located over a holocene fault, in subsidence areas, or on or adjacent to geologic features which would compromise the structural integrity of the facility.

B. Groundwater.

1. No facility shall be located at a site where the bottom of the lowest liner is any less than ten feet (10') above the seasonal high level of groundwater in the uppermost aquifer, or five feet (5') when a hydraulic gradient control system or the equivalent has been installed to control groundwater fluctuations;

2. No landfill shall be located over a sole source aquifer; and

3. No facility's active area shall be located closer than one thousand feet (1,000') to a down-gradient drinking water supply well in use and existing at the time of the county's adoption of the comprehensive solid waste management plan unless the owner or operator can show that the active area is no less than ninety (90) days travel time hydraulically to the nearest down-gradient drinking water supply well in the uppermost usable aquifer.

C. Surface Water. No facility's active area shall be located within two hundred feet (200'), measured horizontally, of a stream, lake, pond, river or salt water body, nor in any wetland nor any public land that is being used by a public water system for watershed control for municipal drinking water purposes in accordance with WAC 248-54660(4).

D. Slope. No facility's active area shall be located on any hill whose slope is unstable.

E. Land Use. No facility shall be located:

1. Within ten thousand feet (10,000') of any airport runway currently used by turbojet aircraft or five thousand feet (5,000') of any airport runway currently used by only piston-type aircraft unless a waiver is granted by the federal aviation administration. This requirement is only applicable where such facility is used for disposing of garbage such that a bird hazard to aircraft would be created;

2. In areas designated by the United States Fish and Wildlife Service or the Department of Game as critical habitat for endangered or threatened species of plants, fish or wildlife;

3. So that the active area is any closer than one hundred feet (100') to the facility property line for land zoned as nonresidential, except that the active area may be no closer than two hundred fifty feet (250') to the property line of adjacent land zoned as residential existing at

the time of the county's adoption of the comprehensive solid waste management plan;

4. So as to be at variance with any locally adopted land use plan or zoning requirement unless otherwise provided by local law or ordinance; and

5. So that the active area is any closer than one thousand feet (1,000') to any state or national park.

(R&R 81 §78, 3-23-92; R&R 8 Part 5 §1(B), 12-19-86)

10.32.040 Closure.

A. Operational Requirements. Each owner or operator shall close the facility according to plans spelled out in the plan of operation. Solid waste facilities shall be restored by the owner or operator to be as compatible as possible with the surrounding environs following the closure. Closure includes but is not limited to grading, seeding, landscaping, contouring and screening. For interim solid waste handling sites, closure includes waste removal and decontamination. Following the closure of a landfill or landfill site, and inspection by the health officer, necessary maintenance and repairs shall be made by the owner and/or operator of the site until the fill has been stabilized for a period of thirty (30) years or longer as required by the health officer. Necessary maintenance includes leachate collection and treatment, methane testing and control, fumarole and surface repairs and other conditions required by the health officer. The owner and/or operator shall inspect the site on an approved schedule as necessary to verify conditions. Annually, until the site has been stabilized, the owner and/or operator of a closed disposal site shall submit a report prepared by an approved engineer stating the conditions noted from the inspections of the site and any alterations from the original closure plan, and any recommended revisions. Any construction or excavation on a completed landfill shall proceed only after written notification to and approval by the health officer.

B. Recording With Records Division. Maps and a statement of fact concerning the disposal area shall be recorded as part of the deed with the records division prior to approval of the final closure plan. Records and plans specifying the general nature of the materials, location of the disposal areas, and periods of operation shall be included on the recorded map. Areas used for the disposal of wastes shall not be sold or transferred without prior notification of the health officer.

C. Surety Bond Additional Requirements. A surety bond must be renewed annually after the completion of any landfill or restricted landfill site until the fill has been stabilized for a period of thirty (30) years or as long as required by the health officer.

(R&R 8 Part 5 §3, 12-19-86)

Chapter 10.34
GENERAL FACILITY REQUIREMENTS

10.34.010 General facility requirements--Applicability.

All solid waste handling facilities shall meet the requirements of this section, except for:

A. Waste recycling facilities, whose standards are spelled out in Chapter 10.68 of this title;

B. On-site containerized storage, collection and transportation facilities which are spelled out in Sections 10.28.010 and 10.28.030 of this title;

C. Single-family residences and single-family farms whose year-round occupants engage in solid waste handling of the single-family's solid waste on-site;

D. Problem wastes as defined in Section 10.08.345 of the title;

E. Solid waste handling facilities that have engaged in closure and closed before the effective date of this title; and

F. Domestic wastewater facilities and industrial wastewater facilities otherwise regulated by federal, state or local water pollution permits except for any portion that utilizes or engages in landspreading disposal biosolids or solid residues directly on the land.

(R&R 81 §79 (part), 3-23-92: R&R 8 Part 5 §2, 12-19-86)

10.34.020 State and local requirements.

All solid waste disposal facilities shall comply with all state and local requirements such as zoning land use, fire protection, water pollution prevention, air pollution prevention, nuisance and aesthetics.

(R&R 81 §79 (part), 3-23-92: R&R 8 Part 5 §2 (part), 12-19-86)

10.34.030 Plan of operation.

A. Each owner or operator shall develop, keep and abide by a plan of operation approved as part of the permitting process in Chapter 10.16 of this title. The plan shall describe the facilities' operation and shall convey to site operating personnel the concept of operation intended by the designer. The plan of operation shall be available for inspection at the request of the health officer. The facility must be operated in accordance with the plan or the plan must be so modified with the approval of the health officer. Owners or operators of drop boxes may develop a generic plan of operation applicable to all such drop boxes, owned or operated.

B. Each plan of operation shall include:

1. How solid wastes are to be handled on-site during their active life;
2. How the facility will be closed and, for land disposal facilities, how post-closure will be carried out;
3. How inspections and monitoring are conducted and their frequency;
4. Actions to take if there is a fire or explosion;
5. Actions to take if leaks are detected;
6. Corrective action programs to take if groundwater is contaminated;
7. Actions to take for other releases (e.g. failure of run-off containment system);
8. How equipment such as leachate collection and gas collection equipment are to be maintained;
9. A safety plan or procedure; and
10. Other such details as required by the health officer.

(R&R 81 §79 (part), 3-23-92: R&R 8 Part 5 §2, 12-19-86)

10.34.040 Recordkeeping.

Each owner or operator shall maintain daily operating records on the weights (or volumes), number of vehicles entering and, if available, the types of wastes received.

(R&R 81 §79 (part), 3-23-92: R&R 8 Part 5 §2, 12-19-86)

10.34.050 Reporting.

Each owner or operator shall prepare and submit a copy of an annual report to the health officer and the Department of Ecology by March 1st of each year. The annual report shall cover facility activities during the previous year and must include the following information:

A. Name and address of the facility;

B. Calendar year covered by the report;

C. Annual quantity in tons, or volume in cubic yards, and estimated in-place density in pounds per cubic yard of solid waste handled, by type of solid waste if available, for each type of treatment, storage or disposal facility, including applicable recycling facilities; and

D. Results of groundwater monitoring required in Chapter 10.72 of this title.

(R&R 81 §79 (part), 3-23-92: R&R 8 Part 5 §2, 12-19-86)

10.34.060 Inspections.

The owner or operator shall inspect the facility to prevent malfunctions and deterioration, operator errors and discharges which may cause or lead to the release of wastes into the environment or a threat to human health. The owner or operator must conduct these inspections often enough to identify problems in time to correct them before they harm human health or the environment. The owner or operator shall keep an inspection log or summary including at least the date and time of inspection, the printed name and the handwritten signature of the inspector, a notation of observations made and the date and nature of any repairs or corrective action. The log or summary must be kept at the facility or other convenient location if permanent office facilities are not on-site, for at least three (3) years from the date of inspection. Inspections records shall be available to the health officer upon request.

(R&R 81 §79 (part), 3-23-92: R&R 8 Part 5 §2, 12-19-86)

10.34.070 Closure and post-closure.

A. Closure Performance Standard. Each owner or operator shall close their facility in a manner that:

1. Minimizes the need for further maintenance;

2. Controls, minimizes or eliminates threats to human health and the environment from post-closure escape of solid waste constituents, leachate, landfill gases, contaminated rainfall or waste decomposition products to the ground, groundwater, surface water and the atmosphere; and

3. Prepares the facility for the post-closure period.

B. Closure Plan and Amendment(s). "Closure" as defined in Section 10.08.070 of this title includes but is not limited to grading, seeding, landscaping, contouring and/or screening. For interim solid waste handling sites, "closure" includes waste removal and decontamination of the site.

1. Each owner or operator shall develop, keep and abide by a plan of closure approved by the health officer as part of the permitting process in Chapter 10.16 of this title.

2. The closure plan shall project time intervals at which sequential partial closure is to be implemented, and identify closure cost estimates and projected fund withdrawal intervals for the associated closure costs from the approved financial instrument.

3. Each owner or operator shall not commence disposal operations in any part of a facility until a closure plan for the entire facility has been approved by the health officer, and until a financial assurance instrument has been provided, as required by applicable laws and regulations.

4. The health officer shall approve, disapprove or require amendment of the closure

plan as a part of the permitting process of Chapter 10.16 in accordance with applicable laws and regulations.

5. Each owner and operator shall close the facility in accordance with the approved closure plan and all approved amendments.

C. Closure Procedure.

1. Each owner and operator shall notify the health officer and, where applicable, the financial assurance instrument trustee of the intent to implement the closure plan in part or whole, no later than one hundred eighty (180) days prior to the projected final receipt of waste at the entire facility unless otherwise specified in the closure plan.

2. The owner or operator shall commence implementation of the closure plan in part or whole within thirty (30) days after receipt of the final volume of waste and/or attaining the final landfill elevation at part of or at the entire facility as identified in the approved facility closure plan unless otherwise specified in the closure plan.

3. Waste shall not be accepted for disposal or for use in closure except as identified in the closure plan approved by the health officer, as required by subsection (B)(1) of this section.

4. When facility closure is completed in part or whole, each owner and operator shall submit the following to the health officer:

a. Facility closure plan sheets signed by a professional engineer registered in the state and modified as necessary to represent as-built changes to final closure construction as approved in the closure plan;

b. Certification by the owner or operator and a professional engineer registered in the state that the site has been closed in accordance with the approved closure plan.

5. The health officer shall notify the owner or operator and the Department of Ecology of the date when the facility post-closure period has begun, which period shall commence when the health officer has verified the facility has been closed in accordance with the specifications of the approved closure plan and the closure requirements of this section.

D. Post-Closure.

1. Provision of Post-Closure Activities. Each owner or operator shall provide post-closure activities to allow for continued facility maintenance and monitoring of air, land and water as long as necessary for the facility to stabilize and to protect human health and the environment.

2. Post-Closure Plan and Amendment. For disposal facilities; "post-closure" includes groundwater monitoring; surface water monitoring; gas monitoring; and maintenance of the facility, facility structures and monitoring systems for their intended use for a period of twenty (20) years and any other activities deemed appropriate by the health office.

a. Each owner or operator shall develop, keep and abide by a post-closure plan approved as a part of the permitting process in WAC 173-304-600. The post-closure plan shall address facility maintenance and monitoring activities for at least a twenty (20) year period or until the site becomes stabilized (i.e., little or no settlement, gas production or leachate generation) and monitoring of groundwater, surface water and gases can be safely discontinued.

b. The post-closure plan shall project time intervals at which post-closure activities are to be implemented, and identify post-closure cost estimates and projected fund withdrawal intervals from the selected financial assurance instrument, where applicable, for the associated post-closure costs.

c. Each owner or operator shall not commence disposal operations in any part of a facility until a post-closure plan for the entire facility has been approved by the health officer, and until a financial assurance instrument has been provided, where applicable, as required by

WAC 173-304-467.

d. Each owner or operator shall complete the post-closure activities in accordance with the approved post-closure plan and schedule. Facility post-closure activities shall be completed in accordance with the approved post-closure plan or the plan shall be so amended with the approval of the health officer.

e. The health officer may determine that a facility post-closure plan is invalid and require an owner or operator to amend the facility post-closure plan.

i. The health officer may direct facility post-closure activities, in part or whole, to cease until the post-closure plan amendment has received written approval by the health officer.

ii. When the health officer determines a facility post-closure amendment is required, the health officer shall, after consultation with the owner/operator, designate a compliance schedule for submittal of the amendment and its review and approval by the Department of Ecology.

3. Post-Closure Procedures.

a. Each owner or operator shall commence post-closure activities after completion of closure activities outlined in subsection (D)(2)(e)(i) and (D)(2)(e)(ii) of this section. The health officer may direct that post-closure activities cease until the owner or operator receive a notice to proceed with post-closure activities.

b. When post-closure activities are complete, the owner or operator shall certify to the health officer, signed by the owner or operator and a professional engineer registered in the state, stating why post-closure activities are no longer necessary (i.e., little or no settlement, gas production or leachate generation).

c. If the health officer finds that post-closure monitoring has established that the facility is stabilized (i.e., little or no settlement, gas production or leachate generation), the health office may authorize the owner or operator to discontinue post-closure maintenance and monitoring activities.

E. Recording with Records Division. Maps and a statement of fact concerning the disposal area shall be recorded as part of the deed with the records division prior to approval of the final closure plan. Records and plans specifying the general nature of the materials, location of the disposal area, and periods of operation shall be included on the recorded map. Areas used for the disposal of wastes shall not be sold or transferred without prior notification of the health officer.

(R&R 81 §79 (part), 3-23-92: R&R 8 Part 5 §2, 12-19-86)

Chapter 10.36
LANDFILLING

10.36.010 Applicability.

This chapter applies to facilities that dispose of solid waste in landfills including, but not limited to, mixed municipal waste landfills, CDL landfills and woodwaste landfills. This chapter does not apply to inert waste landfills. Inert waste landfills shall be subject to the standards of Chapter 10.52 of this title.

(R&R 81 §80, 3-23-92: R&R 8 Part 5 §4(A), 12-19-86)

10.36.020 Minimum performance standards.

A. Groundwater. An owner or operator of a landfill shall not contaminate the groundwater underlying the landfill, beyond the point of compliance. Contamination and point of compliance are defined in Sections 10.08.100 and 10.08.330, respectively.

B. Air Quality and Toxic Air Emissions.

1. An owner or operator of a landfill shall not allow explosive gases generated by the facility whose concentration exceeds:

a. Twenty-five percent (25%) of the lower explosive limit for the gases in facility structures (excluding gas control or recovery system components);

b. The lower explosive limit for the gases at the property boundary or beyond; and

c. One hundred (100) parts per million by volume of hydrocarbons (expressed as methane) in off-site structures.

2. An owner or operator of a landfill shall not cause a violation of any ambient air quality standard at the property boundary or emission standard from any emission of landfill gases, combustion or any other emission associated with a landfill.

C. Surface Waters. An owner or operator of a landfill shall not cause a violation of any receiving water quality standard or violate RCW Chapter 90.48 from discharges of surface runoff, leachate or any other liquid associated with a landfill.

(R&R 8 Part 5 §4(B), 12-19-86)

10.36.030 Minimizing liquids.

All owners or operators of landfills shall minimize liquids admitted to active areas of landfills by:

A. Covering according to this chapter;

B. Prohibiting the disposal of noncontainerized liquids or biosolids containing free liquids in landfills unless approved by the health officer;

C. Designing the landfill to prevent all the run-on of surface waters and other liquids resulting from a maximum flow of a twenty-five (25) year storm into the active area of the landfill;

D. Designing the landfill to collect the runoff of surface waters and other liquids resulting from a twenty-four (24) hour, twenty-five (25) year storm from the active area and the closed portions of a landfill.

(R&R 81 §81, 3-23-92: R&R 8 Part 5 §4(C)(1), 12-19-86)

10.36.040 Leachate systems.

All owners or operators of landfills shall:

A. Install a leachate collection system sized according to water balance calculations or using other accepted engineering methods either of which shall be approved by the health officer;

B. Install a leachate collection system so as to prevent no more than two feet (2') of leachate developing at the topographical low point of the active area; and

C. Install a leachate treatment, or a pretreatment system if necessary in the case of discharge to a municipal waste water treatment plant, to meet the requirements for permitted discharge under RCW Chapter 90.48 and the Federal Clean Water Act (PL 95-217).

(R&R 8 Part 5 §4(C)(2), 1219-86)

10.36.050 Liner designs.

All owners or operators of landfills shall use liners of one (1) of the following designs:

A. Standard Design. The liner shall be constructed of at least a four feet (4') thick layer of recompacted clay or other material with a permeability of no more than 1 x 10-7 cm/sec and sloped no less than two percent (2%); or

B. Alternative Design. The design shall have two (2) liners:

1. An upper liner of at least fifty (50) mils thickness made of synthetic material, and
2. A lower liner of at least two feet (2') thickness of recompacted clay or other material with a permeability of no more than 1 x 10-6 cm/sec and sloped no less than two percent (2%); or

C. Equivalent Design. The design shall use alternative methods, operating practices and locational characteristics which will minimize the migration of solid waste constituents or leachate into groundwater or surface water at least as effectively as the liners of subsections A and B of this subsection.

(R&R 8 Part 5 §4(C)(3), 12-19-86)

10.36.060 Small landfill designs.

For a landfill whose design and permit allow a total capacity at closure of two hundred thousand (200,000) cubic yards or less, the need for a liner and leachate collection system shall be determined on a case-by-case basis by the health officer in consultation with the Department of Ecology.

(R&R 8 Part 5 §4(C)(4), 12-19-86)

10.36.070 Floodplains.

All owners or operators of landfills that are located in a one hundred (100) year floodplain shall:

A. Comply with local floodplain management ordinances and WAC Chapter 508-60, administration of flood control zones; and

B. Design the landfill so that the landfill entrance or exit roads or practices shall not restrict the flow of the base flood, reduce the temporary water storage capacity of the floodplain or result in washout of solid waste, so as to pose a hazard to human life, wildlife, land or water resources.

(R&R 8 Part 5 §4(C)(5), 12-19-86)

10.36.080 Closure.

All owners and operators shall design landfills so that at closure:

A. At least two feet (2') of 1 x 10-6 cm/sec or lower permeability soil or equivalent shall be placed upon the final lifts. Artificial liners may replace soil covers provided that a minimum of fifty (50) mils thickness is used;

B. The grade of surface slopes shall not be less than two percent (2%), nor the grade of side slopes more than thirty-three percent (33%); and

C. Final cover of at least six inches (6") of topsoil be placed over the soil cover and seeded with grass, other shallow rooted vegetation or other native vegetation.

D. Following the closure of a landfill or landfill site, and inspection by the health officer,

necessary maintenance and repairs shall be made by the owner and/or operator of the site until the fill has been stabilized for a period of thirty (30) years or longer as required by the health officer. Necessary maintenance includes leachate collection and treatment, methane testing and control, fumarole and surface repairs and other conditions required by the health officer. The owner and/or operator shall inspect the site on an approved schedule as necessary to verify conditions. Annually, until the site has been stabilized, the owner and/or operator of a closed disposal site shall submit a report prepared by an approved engineer stating the conditions noted from the inspections of the site and any alterations from the original closure plan, and any recommended revisions. Any construction or excavation on a completed landfill shall proceed only after written notification to and approval by the health officer.
(R&R 81 §82, 3-23-92: R&R 8 Part 5 §4(C)(6), 12-19-86)

10.36.090 Gas control.

A. All owners and operators shall design landfills, having a permitted capacity of greater than ten thousand (10,000) cubic yards per year, so that methane and other gases are continuously collected, and:

1. Purified for sale;
2. Flared; or
3. Utilized for its energy value.

B. Installation of a landfill gas system requires a permit from the Puget Sound Air Pollution Control Agency. Collection and handling of landfill gases shall not be required if it can be shown that little or no landfill gases will be produced or that landfill gases will not support combustion; in such cases installation of vents shall be required.
(R&R 8 Part 5 §4(C)(7), 12-19-86)

10.36.100 Fencing.

All owners and operators of landfills shall design landfills to be fenced at the property boundary or use other means to impede entry by the public and animals. A lockable gate shall be required at the entry to the landfill.
(R&R 8 Part 5 §4(C)(8)(part), (a), 12-19-86)

10.36.110 Groundwater monitoring.

All owners and operators of landfills shall design landfills to monitor groundwater according to Chapter 10.72, using a design approved by the health officer with the guidance of the Department of Ecology. The health officer may also require monitoring of:

A. Surface waters, including runoff;
B. Leachate;
C. Subsurface landfill gas movement (see Chapter 10.76) and ambient air;
D. Noise.

(R&R 8 Part 5 §4(C)(8)(part), (b), 12-19-86)

10.36.120 Weighing incoming waste.

All owners and operators of landfills shall design landfills to weigh all incoming waste on scales for landfills having a permitted capacity of greater than ten thousand (10,000) cubic yards per year or provide an equivalent method of measuring waste tonnage capable of estimating total

annual solid waste tonnage to within plus or minus five percent (±5%).
(R&R 8 Part 5 §4(C)(8)(part), (c), 12-19-86)

10.36.130 Employee facilities.

All owners and operators of landfills shall design landfills to provide for employee facilities including shelter, toilets, hand washing facilities and potable drinking water for landfills having the equivalent of three (3) or more full-time employees.
(R&R 8 Part 5 §4(C)(8)(part), (d), 12-19-86)

10.36.140 Sign.

All owners and operators of landfills shall erect a sign at the site entrance that identifies at least the name of site, if applicable, the hours during which the site is open for public use, unacceptable materials and an emergency phone number.
(R&R 8 Part 5 §4(C)(8) (part), (e), 12-19-86)

10.36.150 Fire protection.

All owners and operators of landfills shall design landfills to provide on-site fire protection as determined by the local and state fire control jurisdiction.
(R&R 8 Part 5 §4(C)(8)(part), (f), 12-19-86)

10.36.160 Vector control.

All owners and operators of landfills shall design landfills to prevent potential rat and other vectors (such as insects, birds, and burrowing animals) harborages in buildings, facilities and active areas.
(R&R 8 Part 5 §4(C)(8)(part), (g), 12-19-86)

10.36.170 Unloading areas.

All owners and operators of landfills shall design landfills to provide unloading area(s) to be as small as possible, consistent with good traffic patterns and safe operation.
(R&R 8 Part 5 §4(C) (8)(part), (h), 12-19-86)

10.36.180 Approach and exit roads.

All owners and operators of landfills shall design landfills to provide approach and exit roads to be of all-weather construction, with traffic separation and traffic control on-site, and at the site entrance.
(R&R 8 Part 5 §4(C)(8)(part), (i), 12-19-86)

10.36.190 Office-site communications.

All owners and operators of landfills shall design landfills to provide communication between employees working at the landfill and management offices on-site and off-site (such as telephones) to handle emergencies.
(R&R 8 Part 5 §4(C)(8)(part), (j), 12-19-86)

10.36.200 Operating plan conformance.

All owners or operators of landfills shall maintain and operate the facility so as to conform to the approved plan of operation.
(R&R 8 Part 5 §4(D)(1), 12-19-86)

10.36.210 Operating details.

All owners of landfills shall operate the facility so as to:

A. Control road dust;

B. Perform no open burning unless permitted by the Puget Sound air pollution control agency or the Department of Ecology under the Washington Clean Air Act, RCW Chapter 70.94. Open burning of garbage or other materials placed in landfill shall not be allowed;

C. Collect scattered litter as necessary to avoid a fire hazard or an aesthetic nuisance;

D. Prohibit scavenging;

E. Conduct on-site reclamation in an orderly sanitary manner, and in a way that does not interfere with the disposal site operation;

F. Insure that at least two (2) landfill personnel are on-site with one (1) person at the active face when the site is open to the public for landfills with a permitted capacity of greater than fifty thousand (50,000) cubic yards per year;

G. Control insects, rodents and other vectors; and

H. Insure that reserve operational equipment shall be available to maintain and meet these standards.
(R&R 81 §83, 3-23-92: R&R 8 Part 5 §4(D)(2), 12-19-86)

10.36.220 Boundary posts.

All owners or operators of landfills shall clearly mark the active area boundaries authorized in the permit, with permanent posts or using equivalent method clearly visible for inspection purposes.
(R&R 8 Part 5 §4(D)(3), 12-19-86)

10.36.230 Compaction and daily cover.

All owners or operators of landfills shall:

A. Thoroughly compact the solid waste before succeeding layers are added; and

B. Cover compacted waste containing garbage fully with at least six inches (6") of compacted cover material after each day of operation. The health officer may allow for less frequent daily cover if the owner/operator can adhere to mutually agreed upon performance standards.
(R&R 8 Part 5 §4(D)(4), 12-19-86)

10.36.240 Secondary cover.

After reaching the final elevation of a given area of a site, the area shall be capped with an equivalent of two feet (2') (0.61 meters) of compacted soil or other impervious material and adequately graded to allow surface water to run off. Such cover shall be completed within a time period approved by the health officer. If it is anticipated that the time interval between secondary

cover and final surfacing shall exceed nine (9) months, the area shall be adequately seeded with native grasses or other suitable vegetation. Biosolids application may be approved by the health officer to enhance vegetative growth. Slopes exceeding six percent (6%) shall be mulched or adequately stabilized so as to prevent or correct erosion.
(R&R 81 §84, 3-23-92: R&R 8 Part 5 §4(D)(5), 12-19-86)

10.36.250 Final cover.

The finished surface of the filled area shall be covered with adequate tillable soil graded adequately to allow surface water runoff, and adequately seeded with native grasses or other suitable vegetation on a schedule to be determined by the health officer. Biosolids application may be approved by the health officer to enhance vegetative growth. Slopes exceeding six percent (6%) shall be mulched or adequately stabilized in such a manner so as to prevent or correct erosion. Final grades shall conform to those specified in the approved design plan.
(R&R 81 §85, 3-23-92: R&R 8 Part 5 §4(D)(6), 12-19-86)

10.36.260 Monitoring systems.

All owners and operators of landfills shall maintain the monitoring system required in Section 10.36.110.
(R&R 8 Part 5 §4(D)(7), 1219-86)

10.36.270 Recycling required.

A. All owners or operators of landfills at which the general public delivers household solid waste shall provide the opportunity for the general public to recycle cans, bottles, paper and other material for which a market exists and which has been brought to the landfill site:

1. During the normal hours of operation;
2. In facilities convenient to the public (i.e., near entrance to the gate).

B. Owners or operators may demonstrate alternative means to providing an opportunity to the general public to recycle household solid waste.
(R&R 8 Part 5 §4(D)(8), 12-19-86)

10.36.280 Dangerous wastes.

Owners or operators of landfills shall not knowingly dispose, treat, store or otherwise handle dangerous waste unless the requirements of the dangerous waste regulation, WAC Chapter 173-303, are met.
(R&R 8 Part 5 §4(D)(9), 12-19-86)

10.36.290 Closure and post-closure standards.

A. All owners or operators of landfills shall close landfills in such a manner as to comply with Sections 10.32- .040 and 10.34.070 of this title.

B. All owners or operators of landfills shall close landfills in a manner that:

1. Minimizes the need for further maintenance;
2. Controls, minimizes or eliminates to the extent necessary threats to human health and the environment from post-closure escape of solid waste constituents, leachate, landfill gases, contaminated rainfall or

waste decomposition products to the ground, surface water, groundwater or the atmosphere;

3. Returns the land to the appearance and use of surrounding land areas to the degree possible; and

4. Allows continued monitoring of all media (air, land and water) as long as necessary for the waste to stabilize and to protect human health and the environment.

C. All owners or operators of landfills must have a written estimate, in current dollars, of the cost of closing the facility. The closure cost estimate must equal the cost of closure at the point in the operating life of the facility when the extent and manner of operation would make closure the most expensive, as indicated by the closure plan.

D. In addition, all facilities must have a written post-closure estimate, in current dollars, the cost of post-closure monitoring and maintenance during the post-closure period.

E. Financial assurance for the closure period and the post-closure period shall be provided as described or hereafter amended in WAC 173-304-467 for public facilities and WAC 173-304-468 for private facilities. Financial assurance shall be provided for all landfills, except that inert facilities shall not be required to provide financial assurance. (Amended during 1993 supplementation; R&R 81 §86, 3-23-92: R&R 8 Part 5 §4(E), 12-19-86)

10.36.300 Abandoned landfill sites.

All abandoned landfills shall be maintained by the owner and/or operator so as not to create a risk to the public health. The health officer shall have the authority to require surface repairs, methane monitoring and control, surface water and groundwater monitoring, leachate control, and any additional measures determined necessary to protect the public health and the environment.
(R&R 8 Part 5 §4(F), 12-19-86)

Chapter 10.40
BIOSOLIDS

10.40.005 Pathogen reduction requirements.

Any biosolids distributed or marketed directly to the public shall first be treated by a process to further reduce pathogens (PFRP), as defined in Section 10.08.352 of this title. Biosolids that are not distributed or marketed directly to the public and are used for soil improvement, agricultural applications, silvicultural application, landfilling disposal or application to a drastically disturbed land shall first be treated by a process to significantly reduce pathogens (PSRP), as defined in Section 10.08.354 of this title.
(R&R 81 §87, 3-23-92: R&R 8 (part), 12-19-86)

10.40.007 Permit requirements--Applicability.

The permit requirements of Sections 10.40.030 and 10.40.040 of this chapter shall apply to sites that utilize biosolids treated by PSRP. Beneficial reuse of biosolids treated by PFRP shall not be subject to the permit requirements of Sections 10.40.030 and 10.40.040. However, the facilities used to generate biosolids treated by PFRP shall be subject to the applicable sections of Chapters 10.48 and 10.68 of this title. Facilities that distribute or market biosolids directly to the

public shall comply with the Best Management Practices for Use of Municipal Sludge developed by the Washington State Department of Ecology and 40 CFR Part 503 upon final promulgation by the Environmental Protection Agency.
(R&R 81 §88, 3-23-92: R&R 8 (part), 12-19-86)

10.40.010 Requirements generally--Permit.

A. Owners and/or operators of biosolids utilization sites shall obtain a permit from the health officer prior to utilization of biosolids on the site. A land utilization of biosolids permit application detailing site characteristics and an operations and control plan must be submitted to the health officer for review and approval. The required permit application contents are described in Section 10.40.020 of this chapter. The health officer shall determine the degree of completeness of an application on a case-by-case basis. The owner and/or operator of the biosolids utilization site shall annually renew the permit until the site has been determined to be stabilized by the health officer.

B. Applications and renewals may be approved, denied or conditioned by the health officer. The decision may be based on criteria established within the Best Management Practices Manual, and the Municipal and Domestic Sludge Utilization Guidelines published by the Washington State Department of Ecology, the final 40 CFR Part 503 regulations upon promulgation by the Environmental Protection Agency, and so as not to pose a risk to the public health or environment. Biosolids shall only be applied to soil if the soil is capable of assimilating the wastes and preventing the biosolids and potentially harmful by-products from moving onto adjacent land, into surface waters and into groundwaters.
(R&R 81 §89, 3-23-92: R&R 8 Part 5 §5(A), 12-19-86)

10.40.020 Permit application contents.

The application shall include:

A. Biosolids characteristics, including levels of pathogens, heavy metals, PCB's and other contaminants. A description of the biosolids treatment process is also required;

B. Soils, including permeability, texture, structure, pH, cation exchange capacity and background heavy metals levels;

C. Relevant site characteristics, including rainfall, groundwater conditions and depth to bedrock;

D. Site map showing acreage, zoning, location of site to community, location of nearby residences, roadways, property lines, etc. The location of streams, drainages, floodplains and other surface waters should be shown. General direction and degree of slope must be indicated. Any public or private drinking water supplies within two thousand feet (2,000') of the project must be shown;

E. The plan for the proposed method of operations and general control of the site shall include, but not be limited to:

1. Site use, including intended crop usage,
2. Sufficient public access and controls to prevent the public from being exposed to potential health and safety hazards,
3. Biosolids application methods, rates and season,
4. Site monitoring,
5. Surface water monitoring;

F. Environmental checklist, or other evidence of compliance with the environmental

review requirements of the State Environmental Policy Act, RCW Chapter 43.21C;

G. Statement signed by both the owner of the property and the operator of the project agreeing to abide by the terms of the permit.

(R&R 81 §90, 3-23-92: R&R 8 Part 5 §5(B), 12-19-86)

10.40.030 Practices--Monitoring.

Application rates and methods shall be in accordance with the Best Management Practices Manual, the Municipal and Domestic Sludge Utilization Guidelines published by the Department of Ecology, and 40 CFR Part 503 upon final promulgation by the Environmental Protection Agency. The health officer may require site monitoring and surface water diversion after application. The health officer may require the property owner to record the permit for application of biosolids with the King County records and elections
offfice.

(R&R 81 §91, 3-23-92: R&R 8 Part 5 §5(C), 12-19-86)

10.40.040 Biosolids landfill disposal.

The following requirements shall apply:

A. Trenching. Where a subsurface excavation at a landfill or inert/demolition landfill is used, biosolids shall be placed entirely below the original ground surface. Trench width and depth shall be approved by the health officer based upon volume needed, depth to groundwater, sidewall stability and equipment limitations. Daily cover shall be required.

B. Biosolids/Soil Mixing. Biosolids may be mixed with soil as secondary or final cover over completed areas of refuse only at landfills or inert/demolition landfills. Such cover material shall be spread in a manner which prevents health hazards or nuisances.

C. Other Methods. Biosolids may be deposited at landfills using other methods approved by the health officer.

(R&R 81 §92, 3-23-92: R&R 8 Part 5 §5(D), 12-19-86)

Chapter 10.42
LANDSPREADING DISPOSAL STANDARDS

10.42.010 Applicability.

These standards apply to facilities that engage in landspreading disposal of solid wastes. These standards do not apply to:

A. Facilities utilizing biosolids, woodwaste or other primarily organic sludges according to the Municipal and Domestic Sludge Utilization Guidelines WDOE 82-11, specified in Sections 10.40.030 and 10.68.040 of this title;

B. Agricultural solid wastes resulting from the operation of a farm, including farm animal manure and agricultural residues; and

C. Inert wastes and demolition wastes.

(R&R 81 §93, 3-23-92: R&R 8 (part), 12-19-86)

10.42.020 Performance.

Owners or operators of landscaping disposal facilities shall meet the minimum functional standards for performance of Section 10.36.020 of this title and the general facilities standards of Section 10.34.010 of this title.
(R&R 81 §94, 3-23-92: R&R 8 (part), 12-19-86)

10.42.030 Locational standards.

Owners or operators of landspreading disposal facilities shall meet the locational standards of Section 10.32.020 of this title.
(R&R 81 §95, 3-23-92: R&R 8 (part), 12-19-86)

10.42.040 Minimum functional standard for design.

Owners or operators of landspreading disposal facilities shall design landspreading facilities so as to:

A. Provide interim waste storage facilities that meet the requirements of WAC 173-304-400 standards (i.e., for piles, surface impoundments, etc.);

B. Collect and treat all runoff from a twenty-four (24) hour, twenty-five (25) year storm, and divert all run-on for the maximum flow of a maximum twenty-five (25) year storm around the active area;

C. Avoid standing water anywhere on the active area;

D. Avoid slopes and other features that will lead to soil and waste erosion, unless contour plowing or other measures are taken to avoid erosion;

E. Monitor groundwater according to Chapter 10.72 of this title; and

F. Control access to site by fencing or other means and erect signs.
(R&R 81 §96, 3-23-92: R&R 8 (part), 12-19-86)

10.42.050 Minimum functional standards for maintenance and operation.

Owners or operators of landspreading disposal facilities shall maintain and operate the facilities so as to:

A. Avoid any landspreading disposal of garbage or medical waste;

B. Analyze solid waste according to the requirements spelled out in the Municipal and Domestic Sludge Utilization Guidelines WDOE 82-11;

C. Avoid applying wastes at rates greater than ten (10) times agronomic rates using the proposed cover crop, or depths greater than would allow for discing the soil by tracked vehicles;

D. Provide discing of soils during the growing season and after each application of waste to maintain aerobic soil conditions, minimize odors and lessen runoff;

E. Avoid applying waste to any active area having standing water;

F. Conform to the operating plan and the requirements of Section 10.34.030 of this title;

G. Avoid food chain crops during the active life of the facility and until demonstrated to be safe, after closure, according to the closure and post-closure plans filed with the plan of operation. Specific approval in writing from the health officer is required for any landspreading disposal facility that is used to raise food crops after closure. Any new owner or operator of a closed landspreading disposal facility shall notify the health officer within sixty (60) days of the purchase; and

H. Provide for a written contract between landowners, waste generators, waste haulers and waste operators requiring compliance with rules as a condition of the contract.

(R&R 81 §97, 3-23-92: R&R 8 (part), 12-19-86)

10.42.060 Minimum functional standards for closure and post-closure.

A. All owners or operators of landspreading disposal facilities shall close in such a manner as to comply with Section 10.34.070 of this title.

B. Financial Assurance. All owners or operators of landspreading disposal facilities shall have a written estimate, in current dollars, of the cost of closing the facility. The closure cost estimate must equal the cost of closure at the point in the operating life of the facility when the extent and manner of operation would make closure the most expensive, as indicated by the closure plan.

C. In addition, all facilities shall have a written post-closure estimate, in current dollars of the cost of post-closure monitoring and maintenance during the post-closure period.
(R&R 81 §98, 3-23-92: R&R 8 (part), 12-19-86)

Chapter 10.44
SURFACE IMPOUNDMENTS

10.44.010 Applicability.

A. These standards are applicable to solid waste that are liquids, sludges or biosolids containing free liquids as defined in Chapter 10.08 of this title and applicable under Section 10.04.030 of this title and are stored or treated in surface impoundments.

B. These standards are also applicable to biosolids, sludges and septage stored or treated in surface impoundments;

C. These standards are not applicable to:

1. Surface impoundments whose facilities and discharges are otherwise regulated under federal, state or local water pollution permits; and

2. Retention or detention basins used to collect and store stormwater runoff.
(R&R 81 §99, 3-23-92: R&R 8 Part 5 §6(A), 12-19-86)

10.44.020 Design, construction and operation.

All surface impoundments must be designed, constructed and operated so as to:

A. Meet the performance standards of Section 10.36.030 of this title;

B. Have an in-place or imported soil base/liner of at least two feet (2') of 1 x 10-7 cm/sec permeability or an equivalent combination of soil thickness greater than two feet (2') and having a greater permeability in order to protect the underlying aquifers or a thirty (30) mil reinforced artificial liner placed on top of a structurally stable foundation to support the liners and solid waste and to prevent settlement that would destroy the liner; excavated natural soils shall be recompacted to achieve an equivalent permeability. Owners or operators shall be allowed to use alternative designs, operating practices and locational characteristics which prevent migration of solid waste constituents or leachate into the groundwaters or surface waters at least as effectively as the liners described in this subsection;

C. Avoid washout including the use of an extended liner or dikes or restriction of flow in the one hundred (100) year floodplain and to comply with local floodplain management

ordinances and WAC Chapter 508-60, Administration of Flood Control Zones;

D. Have dikes designed with slopes so as to maintain the structural integrity under conditions of a leaking liner and capable of withstanding erosion from wave action;

E. Have the freeboard equal to or greater than eighteen inches (18") to avoid overtopping from wave action, overfilling or precipitation;

F. Have either a groundwater monitoring system, or a leachate detection, collection and treatment system, for surface impoundments having a capacity of more than two million (2,000,000) gallons unless the health officer and the Department of Ecology require either for smaller surface impoundments. For purposes of this subsection, "capacity" refers to the total capacity of all surface impoundments on-site (i.e., two (2) one million (1,000,000) gallon surface impoundments on one (1) site will trigger these monitoring requirements);

G. Be closed in a manner which removes all solid wastes including liners, etc., to another permitted facility and the site returned to its original or acceptable topography except that surface impoundments closed with the waste remaining in place shall meet the requirements of Sections 10.32.010, 10.32.020 and 10.36.290 of this title;

H. The health officer may require that the liner be inspected for wear and integrity and repaired or replaced by removing stored solid wastes or otherwise inspecting the liner or base at any time. The request shall be in writing and cite the reasons including valid groundwater monitoring or leachate detection data leading to such an inspection and repair;

I. Surface impoundments containing septage will also be subject to the Department of Ecology's Criteria for Sewage Works Design, DOE 78-5 revised 1985, used to review plans for septage surface impoundments; and

J. Surface impoundments that have the potential to impound more than ten (10) acre-feet of waste measured from the top of the dike and which would be released by a failure of the containment dike shall be reviewed and approved by the dam safety section of the Department of Ecology.

(R&R 81 §§100, 101, 3-23-92: R&R 8 Part 5 §6(B), 12-19-86)

Chapter 10.48
STORAGE AND TREATMENT PILES

10.48.010 Applicability.

A. This chapter is applicable to solid wastes stored or treated in piles as defined in Chapter 10.08 of this title, including but not limited to: garbage, sludges, biosolids, putrescible wastes (other than garbage) in place for more than three (3) weeks, other wastes not intended for recycling in place for more than three (3) months, and tire piles where more than eight hundred (800) tires are stored at one (1) facility.

B. Other solid wastes stored or treated in piles prior to waste recycling including compost piles of vegetative waste, piles of woodwaste used for fuel, problem wastes or raw materials are not subject to this chapter but shall conform to Chapter 10.68 of this title. However, if the health officer determines a facility is subject to the criteria listed in Section 10.68.030(C)(2), then the standards of Chapter 10.48 shall be applicable.

C. Waste piles stored in fully enclosed buildings are not subject to these standards, provided that no liquids or biosolids and sludges with free liquids are added to the pile.

D. Inert wastes are not subject to these standards.
(R&R 81 §102, 3-23-92: R&R 8 Part 5 §7(A), 12-19-86)

10.48.020 Requirements generally.

All owners and operators shall:

A. Comply with the requirements of Chapter 10.32;

B. Design piles located in a one hundred (100) year floodplain to:

1. Comply with local floodplain management ordinances and WAC Chapter 508-60, Administration of Flood Control Zones, and

2. To avoid washout or restriction of flow.

C. Remove all solid waste from the pile at closure to another permitted facility.
(R&R 8 Part 5 §7(B), 12-19-86)

10.48.030 Putrescible wastes or leachable wastes.

A. Waste piles containing putrescible or leachable materials shall be placed upon a surface such as sealed concrete, asphalt, clay or an artificial liner underlying the pile, to prevent subsurface soil and potential groundwater contamination and to allow collection of runoff and leachate. The liner shall be designed of sufficient thickness and strength to withstand stresses imposed by pile handling vehicles and the pile itself.

B. Runoff systems shall be installed, designed and maintained to handle a twenty-four (24) hour, twenty-five (25) year storm event.

C. Waste piles containing putrescible or leachable materials having a capacity of greater than ten thousand (10,000) cubic yards shall have either:

1. A groundwater monitoring system that complies with Sections 10.68.010 and 10.68.020 of this title; or

2. A leachate detection, collection and treatment system.

For purposes of this subsection, "capacity" refers to the total capacity of all putrescible or leachate- generating piles at one facility (i.e., two (2), five thousand (5,000) cubic yard piles will subject the facility to the requirements of this subsection).

D. Run-on prevention systems shall be designed and maintained to handle the maximum flow from a twenty-five (25) year storm event.

E. The health officer may require that the entire base or liner shall be inspected for wear and integrity and repaired or replaced by removing stored wastes or otherwise providing inspection access to the base or liner; the request shall be in writing and cite the reasons including valid groundwater monitoring or leachate detection data leading the health officer to request such an inspection, repair or replacement.
(R&R 81 §103, 3-23-92: R&R 8 Part 5 §7(C), 12-19-86)

10.48.040 Tire piles.

Owners or operators shall:

A. Control access to the tire pile by fencing;

B. Limit the tire pile to a maximum of one-half (1/2) acre in size;

C. Limit the height of the tire pile to twenty feet (20');

D. Provide for a thirty-foot (30') fire lane between tire piles; and

E. Provide on-site fire control equipment.

(R&R 8 Part 5 §7(D), 12-19-86)

Chapter 10.52
INERT WASTE LANDFILLING

10.52.010 Applicability.

These standards apply to facilities that landfill more than two thousand (2,000) cubic yards of inert wastes as defined in Chapter 10.08 of this title, including facilities that use inert waste as a component of fill. Inert wastes used as road building materials are excluded from this section. These standards do not apply to asbestos containing waste regulated under the Federal 40 CFR Part 61 Rules and the Dangerous Waste Regulation, WAC Chapter 173-303.
(R&R 81 §104, 3-23-92: R&R 8 Part 5 §8(A), 12-19-86)

10.52.020 Requirements generally.

A. Inert waste landfilling facilities shall not be subject to Sections 10.32.010 and 10.32.020 of this title, except Section 10.32.020(D), slope.

B. Owners or operators of inert waste landfills shall maintain a record of the weights or volumes and types of waste disposed of at each site.

C. Owners or operators of inert waste landfills shall employ measures to prevent emission of fugitive dusts, when weather conditions or climate indicate that transport of dust off-site is liable to create a nuisance. Preventative measures include watering of roads and covering the inert wastes.

D. Timbers, wood and other combustible waste shall not be accepted at an inert waste landfill.

E. Owners or operators of inert waste landfills shall close the facility by leveling the wastes to the extent practicable and shall fill any voids posing a physical hazard for persons after closure and to maintain an aesthetic appearance. A minimum of one foot (1') of soil cover shall be used to close landfills.

F. Owners or operators of inert waste landfills shall:

1. Obtain a permit, as set forth in Chapters 10.12, 10.16 and 10.20 of this title, from the health officer;

2. Meet the requirements of Section 10.34.070(D) of this title, recording with the records division;

3. Not accept any other form of waste except inert waste; and

4. Prevent unauthorized disposal during off-hours by controlling entry (i.e., lockable gate or barrier) when the facility is not being used.

(R&R §105, 3-23-92: R&R 8 Part 5 §8(B), 12-19-86)

Chapter 10.60
TRANSFER STATIONS

10.60.010 Applicability.

All transfer stations, baling and compaction systems and drop boxes receiving solid waste from off-site shall meet the requirements of this chapter. Facilities receiving solid waste from on-site shall meet the requirements of Sections 10.28.010, 10.28.020 and 10.28.030.
(R&R 8 Part 5 §10(A), 12-19-86)

10.60.020 Transfer stations, baling and compacting systems.

Transfer stations, baling and compaction systems shall be designed, constructed, and operated so as to:

A. Be surrounded by a fence, trees, shrubbery or natural features so as to control access and be screened from the view of immediately adjacent neighbors, unless the tipping floor is fully enclosed by a building;

B. Be sturdy and constructed of easily cleanable materials;

C. Be free of potential rat harborages, and provide effective means to control rodents, insects, birds and other vermin;

D. Be adequately screened to prevent blowing of litter and to provide effective means to control litter;

E. Provide protection of the tipping floor from wind, rain or snow other than below grade bins or detachable containers;

F. Have an adequate buffer zone around the operating area to minimize noise and dust nuisances, and for transfer stations, baling, or compaction systems, a buffer zone of fifty feet (50') from the active area to the nearest property line in areas zoned residential;

G. Comply with local zoning and building codes including approved local variances and waivers;

H. Provide pollution control measures to protect surface waters and groundwaters, including runoff collection and discharge designed and operated to handle a twenty-four (24) hour, twenty-five (25) year storm and equipment cleaning and washdown water;

I. Provide all-weather approach roads, exit roads, and all other vehicular areas;

J. Provide pollution control measures to protect air quality including a prohibition against all burning and the development of odor and dust control plans to be made a part of the plan of operation in Sections 10.32.030 and 10.32.040;

K. Prohibit scavenging;

L. Provide attendant(s) on-site during hours of operation;

M. Have a sign that identifies the facility and shows the name of the site, and, if applicable, hours during which the site is open for public use, what constituents materials not to be accepted and other necessary information posted at the site entrance;

N. Have communication capabilities to immediately summon fire, police, or emergency service personnel in event of an emergency; and

O. Remove all wastes at closure as defined in Chapter 10.08, from the permitted facility.
(R&R 8 Part 5 §10(B), 12-19-86)

10.60.030 Drop box facilities.

Drop box facilities, as defined in Chapter 10.08, shall:

A. Be constructed of durable watertight materials with a lid or screen on top that prevents

the loss of materials during transport and access by rats and other vermin;

B. Be located in an easily identifiable place accessible by all-weather roads;

C. Be designed and serviced as often as necessary to ensure adequate dumping capacity at all times. Storage of solid waste outside the drop boxes is prohibited;

D. Comply with Section 10.60.020(M);

E. Remove all remaining wastes at closure, as defined in Chapter 10.08, to a permitted facility, and remove the drop box from the facility.

(R&R 8 Part 5 §10(C), 12-19-86)

Chapter 10.64
INCINERATION AND SOLID WASTE ENERGY RECOVERY FACILITIES

10.64.010 Applicability.

These standards apply to all facilities designed to burn more than twelve (12) tons of solid waste per day, except for facilities burning woodwaste or gases recovered at landfills.

(R&R 8 Part 5 §11(A), 12-19-86)

10.64.020 Requirements generally.

A. Air Pollution Standards. Incinerators and solid waste energy recovery facilities shall be designed and operated in a manner that conforms with current federal, state, regional and local air pollution control regulations.

B. Incinerators and energy recovery facilities storing putrescible wastes shall be confined to storage compartments specifically designed to store wastes temporarily in piles, surface impoundments, tanks or containers. The storage facilities shall meet the facility standards of Sections 10.28.010, 10.28.020 and 10.28.030. Storage of wastes other than in the specifically designed storage compartments is prohibited. Equipment and space shall be provided in the storage and charging areas, and elsewhere as needed, to allow periodic cleaning as may be required in order to maintain the plant in a sanitary and clean condition.

C. All residues from energy recovery facilities or incinerator facilities shall be used, handled or disposed of as solid or dangerous wastes according to these standards or the standards of the dangerous waste regulation, WAC Chapter 173-303.

D. Each owner or operator of an energy recovery facility or incinerator facility shall comply with Sections 10.32.030 and 10.32.040. The plan of operation shall address alternative storage, and/or disposal plans for all breakdowns that would result in overfilling of the storage facility. The plan shall be made available for review by the health officer.

E. Each owner or operator shall close their energy recovery facility or incinerator by removing all ash, solid wastes and other residues to a permitted facility.

F. Disposal of Process Water. All water from the disposal site shall be discharged into a disposal system approved by the health officer and local sewer authority. The treated discharge water shall not violate applicable water quality standards.

G. Pre-use Inspection and Performance Tests. Upon completion of the plant and prior to initial operation, the health officer and Puget Sound Pollution Control Agency (PSAPCA) shall be

notified. The health officer shall inspect the plant both prior to and during the performance tests. A report covering the results of the performance test with all supporting data shall be certified by the design engineer of the project and submitted to the health officer.

H. The owner or operator of an energy recovery facility or incinerator shall be required to provide recycling facilities in a manner equivalent to Section 10.36.270; and

I. Owners or operators of energy recovery facilities and incinerators shall not knowingly dispose of, treat, store or otherwise handle dangerous waste unless the requirements of WAC Chapter 173-303 are met.

(R&R 8 Part 5 §11(B), 12-19-86)

Chapter 10.68
RECYCLING

10.68.010 Applicability.

A. These standards apply to the following recycling facilities:

1. Noncontainerized composting in piles;
2. Accumulation of wastes in piles intended for treatment, recycling or utilization;
3. Facilities used for the treatment of biosolids or other solid wastes. If the health officer determines a facility operates or is likely to operate according to criteria listed in Section 10.68.030(C) of this chapter, then the standards of Chapter 10.48 of this title shall apply.

B. These standards do not apply to:

1. Single-family residences and single-family farms engaged in composting their own wastes;
2. Facilities engaged in the recycling of solid waste-containing garbage, such as garbage composting, which are subject to Chapter 10.48;
3. Facilities engaged in the storage of tires which are subject to Chapter 10.48;
4. Problem wastes as defined in Chapter 10.08 of this title. Also, see Section 10.80.040 of this title;
5. Facilities engaged in recycling of solid waste stored in surface impoundments which are subject to Chapter 10.44 of this title;
6. Utilization of biosolids on land for beneficial use which are subject to Chapter 10.40 of this title.

C. These standards do not apply to any facility that recycles solid waste in containers, tanks, vessels or in any enclosed building, including buy-back recycling centers.

(R&R 82 §§ 4(part), 5, 6-12-92; R&R 81 §106, 3-23-92: R&R 8 Part 5 §12(A), 12-19-86)

10.68.030 Requirements generally.

A. All applicable solid waste recycling facilities shall apply for and obtain a solid waste permit under Chapters 10.12, 10.16 and 10.20 of this title.

B. Applicable waste recycling facilities shall submit annual reports to the health officer and the Department of Ecology by March 1st of the following year for which the data is collected on forms supplied by the Department of Ecology. The annual reports shall include quantities and types of waste recycled for purposes of determining progress towards achieving the goals of waste reduction, waste recycling, and treatment in accordance with RCW 70.95.010(4). Such

facilities may request and be assured of confidentiality for their reports in accordance with RCW Chapter 42.17 and RCW Chapter 43.21A.160.

C. All facilities storing or treating solid waste in outdoor piles or surface impoundments for the purpose of waste recycling shall be considered to be storing or disposing of solid waste if:

1. At least fifty percent (50%) of the material has not been shown to have been recycled in the past three (3) years and any material has been on-site more than five (5) years; or

2. Groundwater or surface water, air, and/or land contamination has occurred or will likely occur under current conditions of storage or in case of fire or flood.

D. Upon determination by the health officer that subsection (C) of this section is met, the health officer may require a permit application and issuance of a permit under Chapters 10.12., 10.16, 10.20 and 10.48 of this title.

E. Waste recycling facilities shall allow the health officer and Department of Ecology representatives entry for inspection purposes and to determine compliance with this title at reasonable times.

F. All applicable waste recycling facilities shall not conflict with the county comprehensive solid waste management plan required by WAC 173-304-011.

G. All waste recycling facilities shall comply with applicable local, state and federal laws and regulations.

(R&R 81 §108, 3-23-92: R&R 8 Part 5 §12(C), 12-19-86)

10.68.040 Woodwaste and other organic biosolids.

A. Facilities utilizing woodwaste not otherwise excluded under Section 10.04.030 of this title shall comply with these recycling standards. Applying woodwaste and other primarily organic biosolids, such as pulp and paper mill treatment biosolids to the land, shall be in a manner consistent with the Municipal and Domestic Sludge Utilization Guidelines, WDOE 82-11, dated September, 1982, or as hereafter amended. Only agricultural or silvicultural sites where such biosolids are demonstrated to have soil conditioning or fertilizer value shall be acceptable, provided that the woodwaste and other primarily organic biosolids are applied as a soil conditioner or fertilizer in accordance with accepted agricultural and silvicultural practice. Facilities utilizing woodwaste or other primarily organic biosolids on the land in a manner not consistent with nor meeting the requirement of the guidelines are required to meet the landspreading disposal standards of Chapter 10.42 of this title.

B. Facilities utilizing woodwaste or other primarily organic biosolids shall also comply with the standards of Section 10.68.040 of this chapter.

(R&R 81 §108, 3-23-92: R&R 8 Part 5 §12(D), 12-19-86)

Chapter 10.72
GROUNDWATER MONITORING

10.72.010 Applicability.

These requirements apply to owners and operators of landfills, piles, landspreading disposal facilities, and surface impoundments that are required to perform groundwater monitoring.

(R&R 8 Part 6 §1(A), 12-19-86)

10.72.020 Standards.

A. The groundwater monitoring system must:

1. Consist of at least one (1) background or upgradient well and three (3) down gradient wells, installed at appropriate locations and depths to yield groundwater samples from the upper most aquifer and all hydraulically connected aquifers below the active portion of the facility. The health officer may also require off-site monitoring of aquifers in cases where on-site monitoring detects ground water contamination in the parameters indicated in subsection (C) of this section;

2. Up gradient wells must represent the quality of background water that has not been affected by leakage from the active area; and

3. Down gradient wells must represent the quality of ground water passing the point of compliance.

Additional wells may be required by the health officer in complicated hydrogeological settings or to define the extent of contamination detected.

B. All monitoring wells must be cased in a manner that maintains the integrity of the monitoring well bore hole. This casing must allow collection of representative groundwater samples. Wells must be constructed in such a manner as to prevent contamination of (1) the samples, (2) the sampled strata, and (3) between aquifers and water-bearing strata and in accordance with WAC Chapter 173-160, Minimum Standards for Construction and Maintenance of Water Wells.

C. Test parameters:

1. The groundwater monitoring program shall be made available for review by the health officer. The program must include, at a minimum, procedures and techniques for:

a. Decontamination of drilling and sampling equipment;
b. Sample collection;
c. Sample preservation and shipment;
d. Analytical procedures and quality assurance;
e. Chain of custody control; and
f. Procedures to ensure employee health and safety during well installation and monitoring.

2. All facilities shall test for the following parameters at each monitoring well at least quarterly during the life of an active area (including the closure period) and the post-closure care period:

a. Temperature;
b. Conductivity;
c. Chloride;
d. Nitrate, nitrite, and ammonia as nitrogen;
e. Sulfate;
f. Dissolved iron;
g. Dissolved zinc and manganese;
h. Chemical oxygen demand;
i. Total organic carbon; and
j. Total coliform;
k. pH.

3. All facilities shall also test for the following parameters at each monitoring well at

least annually during the life of an active area (including the closure period) and the post-closure care period. In addition, these parameters must be included in the required follow-up testing if contamination is discovered in any of the quarterly testing parameters listed in Section 10.72.020(C)(2) per WAC Chapter 173-200.

a. Dissolved metals of lead, cadmium, chromium, copper and nickel;
b. Volatile organic compounds:
    i. Trichloroethylene,
    ii. Carbon tetrachloride,
    iii. Vinyl chloride,
    iv. 1,2,2-dichloroethane,
    v. Benzene,
    vi. 1,1 dichloroethylene,
    vii. 1,1,1-trichloroethane,
    viii. Acrolein,
    ix. 1,1,2,2-tetrachloroethane,
    x. Chloroethane,
    xi. 2-chloroethylvinyl ether,
    xii. Chloroform,
    xiii. 1,2 trans-dichloroethylene,
    xiv. 1,2-dichloropropane,
    xv. cis-1,3-dichloropropylene,
    xvi. trans-1,3-dichloropropylene,
    xvii. Ethylbenzene,
    xviii. Dicholoromethane,
    xix. Chloromethane,
    xx. Bromomethane,
    xxi. Tribromomethane,
    xxii. Dichlorobromomethane,
    xxiii. Chlorodibromomethane,
    xxiv. Tetrachloroethylene,
    xxv. Toluene,
    xxvi. Acetone,
    xxvii. 2-butanone,
    xxviii. Carbon disulfide,
    xxix. 2-hexanone,
    xxx. 4-methyl-2-pentanone,
    xxxi. Styrene,
    xxxii. Vinyl acetate,
    xxxiii. O-xylene,
    xxxiv. Total xylenes;
c. Pesticides:
    i. Dieldrin,
    ii. Lindane,
    iii. Methoxychlor,
    iv. DDT,
    v. 2,4 D,
    vi. Alpha-chlordane.

4. Evaluation:

a. The health officer in consultation with the Department of Ecology may specify additional or fewer constituents depending upon the nature of the waste. Test methods used to detect the parameters of this subsection shall be those in EPA Publication Number SW-846, Test Methods for Evaluating Solid Waste--Physical/Chemical Methods, except for total coliform which shall use the latest edition of Standard Methods for the Examination of Water and Wastewater.

b. The groundwater monitoring program must include a determination of the groundwater surface elevation each time groundwater is sampled.

c. The owner or operator shall use a statistical procedure for determining whether a significant change over background has occurred. The health officer will approve such a procedure with the guidance of the Department of Ecology. The owner or operator must express the groundwater quality at each monitoring well in a form necessary for the determination of statistically significant increases.

d. The owner or operator must determine and report the groundwater flow rate and direction in the uppermost aquifer at least annually.

e. If the owner or operator determines that there is a statistically significant increase for parameters or constituents at any monitoring well at the compliance point, the owner or operator must:

i. Notify the health officer of this finding in writing within seven (7) days of receipt of the sampling data. The notification must indicate what parameters or constituents have shown statistically significant increases;

ii. Immediately resample the groundwater in all monitoring wells and determine the concentration of all constituents listed in the definition of contamination in Chapter 10.08 of this title, including additional constituents identified in the permit and whether there is a statistically significant increase such that the groundwater performance standard has been exceeded, and notify the health officer within fourteen (14) days of receipt of the sampling data.
(R&R 82 §7, 6-12-92; R&R 81 §109, 3-23-92: R&R 8 Part 6 §1(B), 12-19-86)

10.72.030 Corrective action program.

An owner or operator required to establish corrective action program under this section must, at a minimum with the approval of the health officer:

A. Implement a corrective action program that reduces contamination and if possible prevents constituents from exceeding their respective concentration limits at the compliance point by removing the constituents, treating them in place, or other remedial measures;

B. Begin corrective action according to a written schedule after the groundwater performance standard is exceeded;

C. Terminate corrective action measures once the concentrations of constituents are reduced to levels below the contaminant limits as defined in Chapter 10.08.
(R&R 8 Part 6 §1(C), 12-19-86)

10.72.040 Maximum contaminant levels.

Maximum contaminant levels for groundwater shall be those specified in WAC Chapter 248-54, as the primary drinking water standards (analytical methods for these contaminants may be found in the code of federal regulations 40 CFR Part 141) and in the Environmental Protection Agency's proposed maximum contaminant levels found in "Standards for Volatile Organic Chemicals in Drinking Water" Volume 50, Number 219 of the Federal Register, pages 46880

through 46933 or as amended.
(R&R 8 Part 6 §1(D), 12-19-86)

Chapter 10.76
METHANE

10.76.010 Methane monitoring.

All landfills except inert waste landfills shall provide for adequate venting, collecting or redirecting of gases generated by solid waste. No methane shall be allowed to migrate to or beyond the property boundary above or below the ground in concentrations greater than the lower explosive limit for methane, or in excess of one hundred (100) parts per million by volume of hydrocarbons (expressed as methane) in off-site structures, or in excess of twenty-five percent (25%) of the lower explosive limit for gases in facility structures (excluding gas control or recovery system components). It shall be the responsibility of the landfill operator and/or owner to develop a sampling and testing program to monitor gas production and migration. Such program shall be approved by the health officer.
(R&R 81 §110, 3-23-92: R&R 8 Part 6 §2, 12-19-86)

10.76.020 Construction standards for methane control.

A. Applicability. This construction restriction applies to all construction activities on or within one thousand feet (1,000') of an active, closed or abandoned landfill that has been documented by the health officer to be generating levels of methane gas on-site at the lower explosive limit or greater levels. The distance shall be calculated from the location of the proposed structure to the nearest property line of the active or former landfill site.

B. Requirements. All enclosed structures to be built within the one thousand foot (1,000') landfill zone must be protected from potential methane migration. The method for insuring a structure's protection from methane shall be addressed in a report submitted by a licensed professional engineer to the local building department for approval. Such a report shall contain a description of the investigation and recommendation(s) for preventing the accumulation of explosive concentrations of methane gas within or under enclosed portions of a building or structure. At the time of final inspection, the professional engineer shall furnish a signed statement attesting that the building or structure has been constructed in accordance with his/her recommendations for addressing methane gas migration.
(R&R 82 §8, 6-12-92; R&R 8 Part 6 §3, 12-19-86)

Chapter 10.80
WASTE SCREENING

10.80.010 Dangerous waste.

The health officer may screen any wastes or fill material suspected of being a regulated dangerous waste. The screening process may involve certified testing, a disclosure of the waste

constituents and waste generation process, and other additional information. If the health officer determines that the waste is not a regulated dangerous waste but still poses a significant threat to the public health, safety or the environment, he/she may direct the generator or transporter to transfer the waste to a specified treatment or disposal site. If the health officer determines that the waste is a regulated dangerous waste, he/she shall notify the Department of Ecology which shall have full jurisdiction regarding handling and disposal. The Dangerous Waste regulations, WAC Chapter 173-303, shall be considered when screening and making waste determinations.
(R&R 81 §111, 3-23-92: R&R 8 Part 6 §4(A), 12-19-86)

10.80.020 Disposal site inspection and screening.

If during inspections of waste the health officer observes waste suspected of being regulated dangerous waste because of physical properties of the waste, he/she shall have the authority to require the site operator to segregate and hold any such waste. If the health officer determines that testing is required to identify the waste, the generator shall be responsible for such analysis and if the generator is not known, the site operator shall be responsible for funding such analysis. The disposal site operator and/or attendants shall have similar authority not to accept suspect wastes.
(R&R 8 Part 6 §4(B), 12-19-86)

10.80.030 Notice requiring screening.

When such wastes are identified as being suspect dangerous wastes the health officer may issue a notice for requirement of screening. This notice will specify requirements which must be met to satisfy the screening process and a schedule for compliance.
(R&R 8 Part 6 §4(C), 12-19-86)

10.80.040 Excavated material inspection and screening.

The health officer shall have the authority to inspect and screen any excavated dirt, dredge spoil, soil or other material intended for use as upland fill if the material is suspected of containing contaminants at significant levels to endanger the public health, safety or the environment. The health officer may require the suspect material to be tested to identify the contaminant(s) and/or the concentration. If the material is determined not to be a dangerous waste, but still contains a significant level of contaminants which could create a problem from becoming airborne (breathing or nuisance odor), skin contact, leaching into surface waters or groundwaters or entering the food chain, or contains a level of contamination above that specified in the Washington State Model Toxic Control Act Regulations (WAC Chapter 173-340) for soils, the health officer can regulate the material as solid waste. Persons excavating soils in any areas of unincorporated King County or the incorporated cities that encounter a significant quantity of suspect material--such as leaked or spilled fuel oil (Bunker C or Diesel), gasoline, or other volatile (odorous) compounds, slag, industrial waste or other solid waste--shall contact the health officer for determination of appropriate handling and disposal.
(R&R 81 §112, 3-23-92: R&R 8 Part 6 §4(D), 12-19-86)

Chapter 10.84

UNLAWFUL DUMPING

10.84.010 Prohibited.

It is unlawful for any person to dump or deposit or permit the dumping or depositing of any solid waste onto or under the surface of the ground or into the waters of this state, except at a solid waste disposal site for which there is a valid permit; provided, that nothing herein shall prohibit a person from dumping or depositing agricultural waste resulting from his/her own activities onto or under the surface of ground owned or leased by him/her when such action does not violate statutes, ordinances, or creates a nuisance.
(R&R 81 §113, 3-23-92: R&R 8 Part 6 §5(A), 12-19-86)

10.84.020 Identification of responsible person.

A. Whenever solid waste dumped in violation of this title contains three (3) or more items bearing the name of one (1) individual, there shall be rebuttable presumption that the individual whose name appears on such items committed the unlawful act of dumping.

B. When the health officer investigates a case of unlawful dumping and finds no identification in the solid waste, nor other evidence, he/she may then order the property owner to remove said solid waste from his/her land. Where this occurs on private land the property owner or occupant shall be responsible for removal. Where this occurs on public land the appropriate governmental agency shall be responsible for removal.
(R&R 8 Part 6 §5(B), 12-19-86)

Chapter 10.88
MERCURY FEVER THERMOMETER SALES PROHIBITION

10.88.010 Purpose and findings.

A. Statement of Purpose. The purpose of this chapter is to protect human health and the environment from exposure to mercury by banning the sale of mercury fever thermometers.

B. Findings.

1. Mercury is a highly toxic, naturally occurring heavy metal that moves between water, air and soil as a result of natural and human activities. It is a persistent and bioaccumulative substance that can damage the central nervous system, especially during fetal and childhood development.

2. The general public is primarily exposed to mercury's toxic effects through the ingestion of fish that have been contaminated with mercury. Approximately 95% of the mercury found in fish is in the form of methylmercury, a neurotoxin and a particularly toxic form of mercury. Because methylmercury is a neurotoxin (particularly toxic to the developing nervous system), unborn fetuses and young children are especially susceptible to mercury's toxic effects.

3. Forty states, including Washington, have issued fish advisories that warn certain individuals to restrict or avoid consuming mercury-contaminated fish. The Washington State Department of Health advises women of childbearing age and children under the age of six not to eat any shark, swordfish, tilefish, king mackerel, or fresh or frozen tuna steaks and to limit the

amount of canned tuna eaten, based on bodyweight.

4. A 2000 National Academy of Sciences report concluded that "available consumption data and current population and fertility rates indicate that over 60,000 newborns annually might be at risk for adverse neurodevelopmental effects from in-utero exposure to methylmercury." In March 2001, based on data from the Centers for Disease Control, the US Environmental Protection Agency estimated that ten percent of US women of child-bearing age have levels of mercury that double their risk of having babies born with mental or neurological problems.

5. Exposure can occur by inhalation of or bodily contact with elemental mercury from a broken product (e.g., mercury fever thermometer) or from a manufacturing process. In these cases, mercury can be in its elemental form or combined with an inorganic element or compound.

6. Acute mercury exposure can cause headaches, salivation, a metallic taste in the mouth, chills, cough, fever tremors, abdominal cramps, diarrhea, nausea, vomiting, chest tightness, difficulty breathing, fatigue and/or lung irritation. Chronic mercury exposure can cause central nervous system effects, kidney damage and/or birth defects.

7. When a mercury thermometer breaks during use, the mercury vaporizes, posing a health risk to humans. Mercury that volatilizes enters the environment and can be deposited in lakes and rivers. Each mercury thermometer contains approximately one gram of mercury.

8. Nationally, mercury fever thermometers discarded in the garbage contributed seventeen tons of mercury to the solid waste stream annually.

9. In King County, according to survey data collected in 2001, forty three percent percent of King County households have one or more mercury fever thermometers. An estimated 300,000 mercury fever thermometers containing approximately 300 pounds of mercury exist in King County homes. These thermometers may be discarded to King County's landfill or wastewater treatment facilities.

10. Several states and cities around the world have demonstrated that removal of mercury-containing products, such as mercury fever thermometers, from the waste stream is an effective way to reduce mercury contamination. The U.S. Environmental Protection Agency, the American Hospital Association and the American Public Health Association are currently implementing programs to eliminate mercury waste.

11. There are accurate and safe alternatives to mercury fever thermometers that are readily available and comparable in cost.

(R&R No. 03-04 § 1 (part), 3-21-2003)

10.88.020 Definition.

The term "mercury fever thermometer," for purposes of this chapter, means a mercury-containing product used for measuring body temperature. An electronic thermometer with a button battery containing mercury is not considered to be a mercury fever thermometer under this rule.

(R&R No. 03-04 § 1 (part), 3-21-2003)

10.88.030 Applicability.

The requirements of this chapter apply to all persons, including retail establishments.

(R&R No. 03-04 § 1 (part), 3-21-2003)

10.88.040 Prohibitions.

No person may sell mercury fever thermometers in King County unless the mercury thermometer is prescribed for a condition that requires such a thermometer. Any mercury thermometer sold through prescription shall be accompanied by written instructions, furnished by the Local Hazardous Waste Management Program in King County, on how to avoid breakage and on proper cleanup should breakage occur.
(R&R No. 03-04 § 1 (part), 3-21-2003)

10.88.050 Enforcement.

This chapter shall be enforced by the health officer in accordance with the provisions of this chapter and Chapter 1.08 of this code.
(R&R No. 03-04 § 1 (part), 3-21-2003)

10.88.060 Penalties.

Any person who sells a mercury fever thermometer in violation of the provisions of this chapter shall be subject to a civil penalty in accordance with Chapter 1.08 of this code.
(R&R No. 03-04 § 1 (part), 3-21-2003)

10.88.065 Severability.

If any part or provision of this regulation, or the application thereof to any person or circumstance, is held invalid, the remainder of this rule, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this rule are severable.
(R&R No. 03-04 § 1 (part), 3-21-2003)